Government
Publications

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Ontario. Legislature Assembly

Sessional papers

SESSIONAL PAPERS.

VOL. XXIII.—PART IV.

FIRST SESSION OF SEVENTH LEGISLATURE

OF THE

PROVINCE OF ONTARIO.

SESSION 1891.

Toronto:

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LIST OF SESSIONAL PAPERS.

ARRANGED ALPHABETICALLY.

Title.	No.	Remarks.
Accounts (*Ontario and Quebec*)	48	*Printed.*
Accounts, Public	19	"
Agricultural and Arts, Report	5	"
Agricultural College, Report	40	"
Agricultural Societies, Analysis	41	*Not printed*
Agricultural text book, Order in Council	32	"
Algoma, leases of lands in	56	"
Asylums, Report	6	*Printed.*
Bee-keepers' Association, Report	66	*Printed.*
Births, Marriages and Deaths, Report	3	"
Blind Institute, Report	9	"
Canadian Institute, Report	21	*Printed.*
Common Gaols, Report	7	"
Common School lands collections	63	"
Crown Lands, Report	34	"
Dairymen's Association, Report	36	*Printed.*
Davis, Judge, Surrogate Fees to	22	*Not printed.*
Deaf and Dumb Institute, Report	8	*Printed.*
Division Courts, Report	38	"
Education, Report	4	*Printed.*
" publication of French reader	26	*Not printed.*
" Morrisburg Coll. Institute	27	"
" Aylmer Coll. Institute	28	"
" Gravenhurst High School	29	"
" Norwood Board of	30	"
" conveyance to N. A. Land Co'y	31	"
" compulsory Education	33	*Printed.*
" publication of text books	39	*Not printed.*
" salaries in Normal Schools	47	*Printed.*
Election Returns	1	"
Elgin House of Industry, Report	42	*Not printed.*
Entomological Society, Report	15	*Printed.*
Estimates	20	"
Experimental Union, Report	37	" *as part of Agricultural Coll. Report.*

Title.	No.	Remarks.
Factories, Report	60	*Printed.*
Forestry, Report	16	"
Fruit Growers, Report	12	"
Gaols, Report	7	*Printed.*
Health, Report	52	*Printed.*
Hospitals, Report	10	"
Immigration, Report	35	*Printed.*
Industries, Report	67	"
Insurance, Report	2	"
Judicature Act, commutation	22	*Not printed.*
" "	25	"
" "	43	"
" "	49	"
Keewatin Lumber Co'y., lease to	56	*Not printed.*
Land Improvement Fund	63	*Printed.*
Legal Offices, Report	58	"
Lion Provident Life Association	55	*Not printed.*
Liquor License by-laws, quashed	65	*Printed.*
Magdalen Asylums, Report	11	*Printed.*
Mines, Report of Inspector	68	"
Mosgrove, Judge, Order in Council	49	*Not printed.*
Muir, Judge, Order in Council	25	"
Orphan Asylums, Report	11	*Not printed.*
Parry Sound, Election	54	*Not printed.*
Practical Science Report (*part of*)	4	*Printed.*
Prisons Commission, Report	18	"
Prisons, Report	7	"
Proton Grammar School lands	61	"
Proton, Resolutions *re* school lands	62	"
Public Accounts	19	"
Public Works, Report	17	"
Queen Victoria Niagara Falls Park, Report	51	*Printed.*
Reformatories, Report	7	*Printed.*
Refuge, House of, Report	11	"
Registrars' Fees	39	"
Scientific Institutions, Reports (*part of*)	4	*Printed.*
Secretary and Registrar, Report	53	"
Stationary Engines	45	"
Statutes, distribution of	23	*Not printed.*
Statutes, "	24	"

Title.	No.	Remarks.
Tavern and Shop Licenses, Report	13	*Printed.*
Text Books, publication	39	*Not printed.*
Timber berths under license	46	*Printed.*
Timber Limits sales	44	"
Timber Limits, W. Algoma	59	*Not printed.*
Titles, Master of, Report	50	*Printed.*
Toms, Judge, Order in Council	43	*Not printed.*
Toronto University, Report (*part of*)	4	*Printed.*
" Revenue and Requirements, Report	64	"
Upper Canada College, Report (*part of*)	4	*Printed.*
" Bursar's statements	14	"

LIST OF SESSIONAL PAPERS.

Arranged in Numerical Order, with their titles at full length; the Dates when Ordered and when Presented to the Legislature; the name of the Member who moved for the same, and whether Ordered to be Printed or not.

CONTENTS OF PART I.

No. 1.. Return from the Records of the General Election to the Legislative Assembly in 1890, shewing:—(1) The number of Votes polled for each Candidate in each Electoral District in which there was a contest. (2) The majority whereby each successful Candidate was returned. (3) The total number of Votes polled in each District. (4) The number of Votes remaining unpolled. (5) The number of names on the Voters' List in each District. (6) The population of each District as shewn by the last Census. (7) Similar Statements as to any Elections held since the General Elections. Presented to the Legislature, 12th February, 1891. (*Printed.*)

No. 2.. Detailed Report of the Inspector of Insurance for the year ending 31st December, 1889. Presented to the Legislature March 10th, 1891. (*Printed.*)

No. 3.. Report of the Registrar-General, relating to the Registration of Births, Marriages and Deaths for the year 1889. Presented to the Legislature 22nd April, 1891. (*Printed.*)

CONTENTS OF PART II.

No. 4.. Report of the Minister of Education for the year 1890, with the Statistics of 1889, in which is included the Reports upon the Scientific Societies, Toronto University, School of Practical Science and Upper Canada College. Presented to the Legislature 13th March, 1891. (*Printed.*)

No. 5.. Report of the Council of the Agriculture and Arts Association for the year 1890. Presented to the Legislature 10th April, 1891. (*Printed.*)

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No. 6.. Report upon the Lunatic and Idiotic Asylums for the year ending 30th September, 1890. Presented to the Legislature 10th March, 1891. (*Printed.*)

No. 7.. Report upon the Common Gaols, Prisons and Reformatories of the Province, for the year ending 30th September, 1890. Presented to the Legislature 3rd April, 1891. (*Printed.*)

No. 8.. Report upon the Institution for the education of the Deaf and Dumb, Belleville, for the year ending 30th September, 1890. Presented to the Legislature 10th March, 1891. (*Printed.*)

No. 9.. Report upon the Institution for the instruction of the Blind, Brantford, for the year ending 30th September, 1890. Presented to the Legislature 10th March, 1891. (*Printed.*)

No. 10.. Report upon the Hospitals of the Province for the year ending 30th September, 1890. Presented to the Legislature 10th April, 1891. (*Printed.*)

No. 11.. Report upon the Houses of Refuge and Orphan and Magdalen Asylums for the year ending 30th September, 1890. Presented to the Legislature 20th April, 1891. (*Printed.*)

No. 12.. Report of the Fruit Growers Association for the year 1890. Presented to the Legislature 16th March, 1891. (*Printed.*)

No. 13.. Report upon the working of the Tavern and Shop Licenses Acts for the year 1890. Presented to the Legislature 10th March, 1891. (*Printed.*)

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No. 14.. Statements of the Bursar of Upper Canada College, of cash transactions, for the year ending 30th June, 1890. Presented to the Legislature 16th March, 1891. (*Printed.*)

No. 15.. Report of the Entomological Society of Ontario for the year 1890. Presented to the Legislature 16th March, 1891. (*Printed.*)

No. 16.. Report on Forestry, 1889-90. Presented to the Legislature 24th March, 1891. (*Printed.*)

No. 17.. Report of the Commissioner of Public Works for the year 1890. Presented to the Legislature 11th March, 1891. (*Printed.*)

No. 18.. Report of the Commission appointed to enquire into the Prison and Reformatory system of the Province. Presented to the Legislature 30th April, 1891. (*Printed.*)

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No. 19.. Public Accounts of the Province for the year 1890. Presented to the Legislature 16th March, 1891. (*Printed.*)

No. 20.. Estimates for the service of the Province until the Estimates for the year are finally passed. Presented to the Legislature 12th February, 1891. (*Not printed.*) Estimates for the year 1891. Presented to the Legislature 23rd March, 1891. (*Printed.*) Estimates for the service of the Province until the Estimates for the year are finally passed. Presented to the Legislature 31st March, 1891. (*Not printed.*) Supplementary Estimates for the year 1891. Presented to the Legislature 1st May, 1891. (*Printed.*)

No. 21.. Report of the Canadian Institute, 1890-91. Presented to the Legislature 3rd April, 1891. (*Printed.*)

No. 22.. Copy of an Order of His Honour the Lieutenant-Governor in Council respecting the payment of Surrogate Court Fees to His Honour Judge Davis under the provisions of 52 Vic., Cap. 10, Sec. 5. Presented to the Legislature 10th March, 1891. (*Not printed.*)

No. 23.. Return from the Queen's Printer as to the disposal of the Sessional Statutes. Presented to the Legislature 10th March, 1891. (*Not printed.*)

No. 24.. Statement from the Queen's Printer as to the disposal of the Revised Statutes. Presented to the Legislature 10th March, 1891. (*Not printed.*)

No. 25.. Copy of an Order in Council respecting the payment of Surrogate Court fees to His Honour Judge Muir, under the provisions of 52 Vic., Cap. 10, Sec. 5. Presented to the Legislature 11th March, 1891. (*Not printed.*)

No. 26.. Copy of an Order in Council approving of an agreement with the Rose Publishing Company for the publication of a High School French Reader. Presented to the Legislature 11th March, 1891. (*Not printed.*)

No. 27.. Copy of an Order in Council raising the High School of Morrisburg to the standing of a Collegiate Institute. Presented to the Legislature 11th March, 1891. (*Not printed.*)

No. 28.. Copy of an Order in Council raising the High School at Aylmer to the standing of a Collegiate Institute. Presented to the Legislature 11th March, 1891. (*Not printed.*)

No. 29.. Copy of an Order in Council approving of a By-law of the County of Simcoe, establishing a High School at the Town of Gravenhurst. Presented to the Legislature 11th March, 1891. (*Not printed.*)

No. 30.. Copy of an Order in Council conveying to Thomas Maitland Grover, certain land in the Village of Norwood in exchange for other lands conveyed by him to the Board of Education of Norwood. Presented to the Legislature 11th March, 1891. (*Not printed.*)

No. 31.. Copy of an Order in Council conveying to the North American Land Company, Limited, certain lands at one time vested in the Toronto Collegiate Institute Board in trust, but surrendered to Her Majesty. Presented to the Legislature 11th March, 1891. (*Not printed.*)

No. 32.. Copy of an order in Council approving of an agreement with the J. E. Bryant Company, Limited, for the publication of an agricultural text-book. Presented to the Legislature 11th March, 1891. (*Not printed.*)

No. 33.. Report on Compulsory Education in Canada, Great Britain, Germany and the United States. Presented to the Legislature 20th March, 1891. (*Printed.*)

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No. 34.. Report of the Commissioner of Crown Lands for the year 1890. Presented to the Legislature 1st April, 1891. (*Printed.*)

No. 35.. Report of the Department of Immigration for the year 1890. Presented to the Legislature 16th April, 1891. (*Printed.*)

No. 36.. Report of the Dairymen's Association for the year 1890. Presented to the Legislature 2nd May, 1891. (*Printed.*)

No. 37.. Report of the Ontario Agricultural and Experimental Union for the year 1890. Presented to the Legislature 22nd April, 1891. (*Printed as part of Agricultural College Report.*)

No 38.. Report of the Inspector of Division Courts for the year 1890. Presented to Legislature 20th March, 1891. (*Printed.*)

No. 39.. Return to an Order of the House of the nineteenth day of March, 1890, shewing copies of all correspondence on the subject of preparing or publishing school text books, with a statement of all sums paid in connection with the preparation or publication of school text books subsequent to that already brought down, with the award of the arbitrators thereon. Presented to the Legislature 20th March, 1891. Mr. *Preston.* (*Not printed.*)

No. 40.. Report of the Ontario Agricultural College and Experimental Farm for the year 1890. Presented to the Legislature 22nd April, 1891. (*Printed.*)

CONTENTS OF PART VII.

No. 41. Analysis of Reports of County and Township Agricultural and Horticultural Societies in Ontario for the year 1889. Presented to the Legislature 6th April, 1891. (*Not printed.*)

No. 42.. Report of the Inspector of the Elgin House of Industry and Refuge for the year ending 31st October, 1891. Presented to the Legislature 24th March, 1891. (*Not printed.*)

No. 43.. Copy of an Order in Council respecting the commutation of fees payable under the Surrogate Courts Act to His Honour, Judge Toms, Judge of the County Court of the County of Huron. Presented to the Legislature 31st March, 1891. (*Not printed.*)

No. 44.. Statement of Sales of Timber Limits held 1st October, 1890. Presented to the Legislature 2nd April, 1891. (*Printed.*)

No. 45.. Return to an Order of the House of the seventeenth day of February, 1890, shewing the number of stationary steam engines and boilers in each of the municipalities of the Province, and for what purpose used. Presented to the Legislature 7th April, 1891. Mr. *Phelps.* (*Printed.*)

No. 46.. Return to an Order of the House of the twenty-eighth day of February, 1890, shewing, so far as the records of the Department of Crown Lands will enable the information to be given, the number, area and location of each timber berth or other territory now under license, the date when such berth or territory was first placed under license, and the name of the original licensee and of the person in whose name such license stood on the first day of January last. Also, shewing the bonus *per* square mile received for each such limit, and a rough map or plan shewing the area now under license. Presented to the Legislature 8th April, 1891. Mr. *Meredith.* (*Printed.*)

No. 47.. Copy of a Minute of the Department of Education dated 25th March, 1891, approving of certain rules with respect to the Salaries of Teachers in the Provincial Normal and Model Schools. Presented to the Legislature 13th April, 1891. (*Printed.*)

No. 48.. Return to an Address to His Honour the Lieutenant-Governor, of the twentieth day of March, 1891, praying that he will cause to be laid before the House a Return of copies of all correspondence, except that already brought down, between any member or officer of the Government of Ontario, and any member or officer of the Government of the Province of Quebec, with reference to the matters in dispute between the Province of Ontario and the Province of Quebec, or any of such matters, of all

memoranda or documents shewing the propositions made for the settlement of the said matters or any of them. Presented to the Legislature 14th April, 1891. Mr. *H. E. Clarke* (*Toronto.*) (*Printed.*)

No. 49.. Copy of an Order in Council respecting the commutation of fees of His Honour Judge Mosgrove, Junior Judge of the County Court of the County of Carleton, under the provisions of 52 Vic., Cap. 10, Sec. 5. Presented to the Legislature 15th April, 1891. (*Not printed.*)

No. 50.. Report of the Master of Titles for the year 1890. Presented to the Legislature 20th April, 1891. (*Printed.*)

No. 51.. Report of the Commissioners for the Queen Victoria Niagara Falls Park. Presented to the Legislature 28th April, 1891. (*Printed.*)

No. 52.. Report of the Provincial Board of Health for the year 1890. Presented to the Legislature 28th April, 1891. (*Printed.*)

No. 53.. Report of the Secretary and Registrar of the Province for the year 1890. Presented to the Legislature 29th April, 1891. (*Printed.*)

No. 54.. Return to an Order of the House of the thirteenth day of April 1891, for a copy of the Proclamation of the Returning Officer for the Electoral District of Parry Sound appointed to hold the last election of a member to represent the said Electoral District in this House, for holding the Election and fixing the places at which Polls were to be opened for taking the votes of the Electors thereat. A list of the places, if any, not named in the said Proclamation at which Polls were opened. A statement of the number of votes cast at any polling place not mentioned in the said Proclamation, shewing the number of votes cast for each candidate. Copies of the notices, if any, of the opening and holding of such last mentioned Polls, published by the Returning Officer, and a statement of the date and manner of the publication thereof. Presented to the Legislature 29th April, 1891. Mr. *Marter.* (*Not printed.*)

No. 55.. Return to an Address to His Honour the Lieutenant-Governor of the seventeenth day of April, 1891, praying that he will cause to be laid before this House a Return shewing what proceedings have been taken by the Government in investigating the business carried on by the Lion Provident and Life Association, with copies of any Reports or Orders in Council connected therewith. Presented to the Legislature 30th April, 1891. Mr. *Bishop.* (*Not printed.*)

No. 56.. Return to an Order of the House of the twenty-sixth day of February, 1890, for copies of the lease granted to the Keewatin Lumber Company or John R. Mather, of certain lands and islands in or near the Lake of the Woods, in the District of Algoma, and of all other leases granted of lands or islands in the said district prior to the year 1878. Also, shewing the revenue, if any, derived from the lands or islands so leased, or the timber cut therefrom in each year since such leases were made, shewing from whom received and on what account, in so far as the same are shewn in Department of Crown Lands. Also, a copy of the judgment pronounced in the High Court of Justice as to the rights of the said lessees under the said leases. Also, shewing the area of lands so placed under lease. Also, a list of all claims made for locations or mining rights in the territory covered by the said leases, and of the decisions of the Commissioner of Crown Lands thereon. And copies of all correspondence with reference

to the surrender by the lessees, or any of them, of the rights claimed under such leases, or any of such rights. Presented to the Legislature 1st May, 1891. Mr. *Meredith.* (*Not printed.*)

No. 57. Statement of the Returns forwarded to the office of the Provincial Secretary of all the fees and emoluments received by the Registrars of Ontario for the year 1890, made in accordance with the provisions of R.S.O., 1887, Cap. 114, Sec. 100, with which are contrasted, receipts of the same nature in the years 1888 and 1889. (*Sessional Papers No. 57.*) Presented to the Legislature 1st May, 1891. (*Printed.*)

No. 58. Report of the Inspector of Legal offices for the year 1890. Presented to the Legislature 1st May, 1891. (*Printed.*)

No. 59. Return to an Order of the House of the twelfth day of March, 1890, shewing the lots, townships or other area, in the Electoral District of West Algoma, the timber of which has been sold. The dates when the same was sold; the names of the purchasers, and the prices paid. Shewing, also, what timber berths or other territory in the said district have been placed under license, or in respect of which permits to cut timber have been granted under the authority of the Province; the date when first placed under license, or permits first granted; the names of the original licensee or holder of the permit; the name of the present licensee or holder of the permit and the bonus *per* square mile received for each such berth or other territory. Presented to the Legislature 2nd May, 1891. Mr. *Meredith.* (*Not printed.*)

No. 60. Report of the Inspector of Factories for the year 1890. Presented to the Legislature 2nd May, 1891. (*Printed.*)

No. 61. Return to an Order of the House of the 29th day of April, 1891, shewing: 1. Total sales effected of Grammar School Lands in the Township of Proton, together with payments made on same from March 6th, 1861, to July 1st, 1867. 2. A statement of what yearly payments have been received from sales of Grammar School Lands in the Township of Proton since July 1st, 1867, and what payments were made by the Government to the Township of Proton as result of the same. Presented to the Legislature 2nd May, 1891. Mr. *McKechnie.* (*Printed.*)

No. 62. Return to an Order of the House of the 29th day of April, 1891, for copies of any and all resolutions of the Council of the Township of Proton relative to Grammar School Lands situated in that Township, or correspondence of the Council regarding same. Also, copies of all petitions or memorials from ratepayers of the Township of Proton which turn to shew or prove that when they purchased Grammar School Lands from the Government it was with the distinct or implied understanding that one-fourth of the purchase money was to be returned to them, as a fund for public improvements within the Municipality. Also, any and all further correspondence regarding same not already brought down, Also, any correspondence with the late Crown Land Agent at Durham, in connection with the sale of said lands which would tend to prove or allege that a fourth of the purchase money was to be returned to the Municipality to form a fund for public improvements in the Township. Also, any other papers on the subject which have not been already brought down. Also, an account of the sums paid to other townships in respect of Grammar School Lands therein. Presented to the Legislature 2nd May, 1891. Mr. *McKechnie.* (*Printed.*)

No. 63.. Return to an Order of the House of the 29th day of April, 1891, shewing the total collections from Confederation to the 31st day of December, 1890, on Common School Lands, together with the percentage paid to the municipalities on account of the Land Improvement Fund. Presented to the Legislature 2nd May, 1891. Mr. *Gibson* (*Huron.*) (*Printed.*)

No. 64.. Return to an Order of the House of the 29th day of April, 1891, containing the report of a Committee appointed by the Senate of the University of Toronto on the 10th day of January, 1891, and by the Board of Trustees of the same Institution on the 13th day of January, 1891, to report upon the present and prospective revenue and the most urgent pecuniary requirements of the University and of University College and as to the time, mode and order in which these requirements should be dealt with. Presented to the Legislature 2nd May, 1891. Mr. *Balfour.* (*Printed.*)

No. 65.. Return to an Order of the House of the 29th day of April, 1891, for copies of the judgments of Chief Justice Galt quashing the local option liquor by-laws adopted by the municipalities of Oakland, South Norwich and London West, under the authority of Section 18, of Cap. 56, of the Statutes of Ontario, 1890. Presented to the Legislature 2nd May, 1891. Mr. *Allan.* (*Printed.*)

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No. 66.. Report of the Bee-keepers Association for the year 1890. Presented to the Legislature 2nd May, 1891. (*Printed.*)

No. 67.. Report of the Bureau of Industries for the year 1890. Presented to the Legislature 2nd May, 1891. (*Printed.*)

No. 68.. Report of the Inspector of Mines, 1890. Presented to the Legislature 2nd May, 1891. (*Printed.*)

UPPER CANADA COLLEGE.

THE BURSAR'S STATEMENTS

Of Cash Transactions for the year ended 30th June, 1890.

No. 1.

UPPER CANADA COLLEGE.

THE BURSAR'S STATEMENT of Receipts and Disbursements on Capital Account for the year ending 30th June, 1890.

RECEIPTS.		—	DISBURSEMENTS.	—
		$ c.		$ c.
Balance 30th June, 1889.		7599 79	Balance 30th June, 1890	40176 01
Purchase money, sales of lands		262 00		
Loans on first mortgage real estate, repaid		16448 00		
Debentures redeemed :—				
West Sandwich	$ 100 00			
East Sandwich	$100 00			
"	335 00			
	435 00			
Tilbury West	118 75			
Caledon	5000 00			
Bruce	10000 00			
Nottawasaga	212 47			
		15866 22		
		$40176 01		$40176 01

BURSAR'S OFFICE,
Toronto, 2nd July, 1890.

J. E. BERKELEY SMITH,
Bursar.

C. H. SPROULE,
Provincial Auditor.

No. 2.

UPPER CANADA COLLEGE.

THE BURSAR'S STATEMENT of Receipts and Disbursements on Income Account for the year ending 30th June, 1890.

RECEIPTS.			TO WHOM PAID.		SERVICE.			
		$ c.		Authority.		$ c.	$ c.	$ c.
Balance 30th June, 1889		32206 57			Salaries:—			
			George Dickson, M.A	O. C.	Principal and 1st English master	12 mos.	2600 00	
Interest on purchase money, sale of lands		57 25	A. Stevenson, B.A	Com.	2nd English and Com. master	12 "	950 00	
			H. Brock	Com.	3rd English master	12 "	790 00	
Interest on loans, first mortgage on real estate	$7830 63		"	Com.	Superintendent supplementary board'g house and supervision of boys		254 63	
Am't transferred from deposit account, re John Coates	105 00		"	M.	Taking place of Mr. Young		7 50	
Am't transferred from books to correct, re M. T. Robinson	46 00		"	M.	Study work during Mr. Sparling's absence		3 00	
		151 00					1055 13	
		7981 63	W. Weld, M.A	O. C.	1st Classical master	12 mos.	1300 00	
			John Martland, M.A	O. C.	2nd " and Sup't of residence	12 "	2300 00	
			W. S. Jackson, B.A	Com.	3rd "	12 "	1100 00	
			" "	Com.	Superintendent supplementary board'g house and supervision of boys		320 00	
							1420 00	
Interest on Debentures less collection and express charges		5191 50	J. T. Fotheringham, B.A	M.	4th Classical master	12 mos.		900 00
			G. B. Sparling, M.A	M.	1st Mathematical master	12 "		1540 00
			A. C. McKay, B.A	M.	2nd " "	2 "		166 67
			Daniel Hull, B.A	O. C.	2nd " "	10 "		745 83
			Thos. H. Rogers, B.A	M.	3rd " "	2 "		116 67
Tuition Fees	$14608 00		James Gill, B.A	O. C.	3rd " "	10 "		590 63
Am't transferred from deposit, re Cotter	2 95		A. H. Young, B.A	O. C.	1st Modern Language master	12 "		1200 00
			Joseph Blackstock, B.A	Com.	2nd " "	12 "		700 00
	$14610 95		S. B. Leacock, B.A	O. C.	3rd " "	10 "	671 32	
Less rebate to H. Graham	20 00		" "	M.	Duties in boarding during M. Fotheringham's absence		25 00	
		14590 95					696 32	
Board, Dues	$ 22720 20		A. Y. Scott, M.D	O. C.	Science master	12 mos.		1500 00
Less amount paid to Stamland rebate	870 00		D. B. Dick	Com.	Architect	12 "		75 00
W. Kingdon, re Yeomans	10 00		Dr. J. Thorburn	B.	Physician	10 "		400 00
W. Kingdon, re J. Hackett	6 00		Mrs. Sewell	Com.	Matron	12 "		365 00
F. J. Tremayne, rebate fees, C. Anderson	28 00		George Frost	Com.	Janitor and messenger	12 "		420 00
A. Morin, rebate	25 00		William Chappell	Com.	Gardener	12 "		416 00
			Sergt. T. Parr	Com.	Drill Serg't and Serg't play grounds	12 "		480 00
			J. Martland, M.A	B.	Men's and Women's wages, Boarding house			3040 00
			W. Allan	M.	Duties in College (classes) during Mr. Fotheringham's absence			58 00
			T. H. Moore	M.	Teaching in place of Mr. Gill			9 00

F.O. Martin, rebate	32 00		
H. P. Biggar, "	16 00		
W. Proudfoot, "	28 00		
Henry A. Sims, "	24 00		
		199 00	
			22521 20
Entrance Fees			346 00
Medical Fees			370 00
Transfer Fees			18 50
Law Costs		$76 76	
Less paid Watt & Miles, inspection *re* McCannel	$5 00		
Less paid W. McDonald	4 59		
		9 59	
			67 17
Rents			80 00
Carried forward			$83410 77

W. S. Jackson, B.A.....M.			
Hunter, Rose & Co...Regulat's.			
S. B. Windrum.....Regulat's.			
H. R. Kingsmill.....Regulat's.			
E. C. P. Clark..... "			
P. Burns & Co..... B.			
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R. Dinnis & Son..... B.			
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J. R. Wells & Co..... B.			
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Carried forward			

Study work during Mr. Sparling's illness		8 00	22992 25
Prizes :—			
Books		317 55	
Prizes for games		16 50	
			334 05
Exhibitions :—			
Allowance as exhibitioner		30 00	
" "		30 00	
			60 00
Fuel :—			
Coal and wood	628 47		
"	941 02		
"	25 86		
"	78 51		
"	202 79		
"	9 92		
"	61 12		
"	11 50		
"	74 77		
"	6 90		
			2040 86
Repairs :—			
Carpenter work	84 17		
"	21 30		
"	22 29		
"	13 21		
"	10 95		
"	13 76		
"	13 40		
"	16 00		
"	8 35		
"	17 17		
"	16 52		
"	3 74		
		240 86	
Plumbing	91 54		
"	108 46		
"	9 42		
"	14 18		
"	6 71		
"	10 29		
"	4 25		
"	4 11		
	248 96		
		240 86	$25916 98

No. 2.—*Continued.*

Receipts and Disbursements on Income Account.—*Continued.*

Receipts.	—	To whom Paid.		Service.	—	—	—
	$ c.				$ c.	$ c.	$ c.
Brought forward	83410 77	*Brought forward*			248 96	240 86	25916 98
			Authority.	Repairs—*Continued.*			
		J. R. Wells & Co	B.	Plumbing	46 45		
		"	"	"	7 30		
		"	"	"	19 10		
		"	"	"	6 75		
		"	"	"	5 20		
		"	"	"	38 39		
		"	"	"	9 95		
						382 10	
		T. S. Martin	B.	Tinsmith's work	53 65		
		"	"	"	77 25		
		"	"	Putting up stoves	36 43		
		"	"	Tinsmith's work	8 75		
		"	"	"	9 05		
		"	"	"	6 83		
		"	"	"	22 01		
		"	"	"	4 80		
		"	"	"	12 20		
		"	"	"	6 95		
		"	"	"	16 15		
		"	"	"	6 65		
						260 72	
		M. O'Connor	B.	Whitewashing, calsomining, etc.	229 75		
		"	"	" " at Principal's house.	18 95		
		"	"	" " at College	145 65		
		"	"	Re-glazing and gilding	18 25		
		"	"	Whitewashing	33 10		
						445 70	
		James Oag	B.	Repairing bedsteads		4 75	
		A. G. Peuchen & Co	"	Paints	9 20		
		" "	"	"	24 69		
						33 89	
		Aikenhead & Crombie	"	Hardware		25 28	
		E. & C. Gurney Co	B.	Repairing furnace	16 35		
		" "	"	Castings	10 25		
		" "	"	"	2 90		
						29 50	
		Fox & Co	B.	Lumber	33 00		

" ..... "		"	6 38			
				39 38		
G. H. Copping..... B.		Repairs, Wringers.....	4 00			
" ..... "		"	4 75			
				8 75		
Stewart & Wood..... B.		Painting	13 30			
" ..... "		Glass, etc.....	4 93			
" ..... "		"	2 41			
				20 64		
Douglas Bros..... B.		Smokestack	.....	6 50		
Kent Bros..... "		Repairing Clock.....	.....	10 50		
W. J. Hynes..... "		Plastering.....	.....	5 10		
George Frost..... "		Special allowance during holidays for repairs done by him.....	50 00			
" ..... "		Sundry repairs.....	4 94			
" ..... "		Supplies for repairs.....	6 12			
				61 06		
J. Leckie..... B.		Repairs, Gymnasium.....	.....	7 10		
John Milne & Co..... "		Flags.....	.....	4 25		
Mrs Ellen Martin..... "		Repairing roof.....	.....	5 10		
						1591 18
		Stationery and Printing :—				
John Notman..... M.		Stationery	30 00			
" ..... "		"	85 51			
Queen's Printer..... "		"	3 75			
" ..... "		"	27 05			
				146 31		
Rowsell & Hutchison..... P.		Postage stamps, etc.....	20 75			
" " ..... "		Stationery and Printing.....	28 00			
" " ..... "		"	6 00			
" " ..... "		Stamps, etc.....	32 61			
" " ..... "		Printing Examination Papers.....	108 35			
				195 71		
Warwick & Sons..... M.		Printing.....	399 51			
" " ..... "		" and Stationery	10 78			
" " ..... "		" "	12 33			
" " ..... "		" Laundry lists.....	17 26			
				439 88		
R. L. Polk & Co..... P.		Directory.....	.....	4 00		
						785 90
		Advertising :—				
The *Week*..... M.		Advertising re-opening.....	.....	10 00		
The *Witness*, Jno. Dougall & Son..... "		" "	.....	6 00		
Peterboro' *Times*, W. H. Robinson..... "		" "	.....	4 00		
				11 00		$28294 06
Carried forward.....	$83410 77	*Carried forward*.....				

No. 2.—*Continued.*

Receipts and Disbursements on Income Account.—*Continued.*

Receipts.	—	To whom Paid.	Service.	—	—	—
	$ c.			$ c.	$ c.	$ c.
Brought forward	83410 77	*Brought forward*			11 00	28294 06
		Authority.	Advertising—*Continued.*			
		British *Whig* ..... M.	Advertising re-opening		9 00	
		Evening *Telegram* ..... "	" "	15 00		
		" ..... "	" "	4 50		
					19 50	
		Toronto *World* ..... M.	" "	6 00		
		" ..... "	" re tenders	4 50		
		" ..... "	" re-opening	3 00		
					13 50	
		Mail Printing Co. ..... M.	" "	40 00		
		" ..... "	" "	22 50		
		" ..... "	" tenders	4 50		
		" ..... "	" re-opening	4 50		
					71 50	
		Ottawa *Free Press* ..... M.	" "		12 00	
		Empire Pt'g and Pub. Co.. "	" "	20 25		
		" " .. "	" "	15 00		
		" " .. "	" "	4 50		
		" " .. "	" tenders	4 50		
					44 25	
		Gazette Pt'g Co. (Montreal) M.	" re-opening		10 00	
		Globe Printing Co. ..... "	" "	43 15		
		" ..... "	" "	25 20		
		" ..... "	" tenders	4 50		
					72 85	
		William Briggs ..... M.	" re-opening		11 50	
		Canadian *Architect and Builder* ..... "	" re tenders		1 50	
						285 60
			Outfit :—			
		John Kay, Son & Co. .... B.	Oil cloth		15 31	
		John Katto & Co. ..... "	Table cloths	90 15		
		" " ..... "	Window blinds	11 10		
		" " ..... "	Mop flannel	6 30		
					107 55	
		Glover Harrison Estate.... B.	Crockery	41 85		
		" " .... "	"	5 83		

			" " "	8 65		
			" " "	6 75		
			" " "	5 90		
			" " "	8 53		
			" " "	4 75		
			" " "	8 80		
			" " "	8 30		
			" " "	8 53		
					107 89	
			Chas. Rogers, Sons & Co.. B.		44 28	
			E. & C. Gurney Co..... "	Furniture	12 10	
			" " ..... "	Tinware.....	7 90	
			" " ..... "	" etc.....	11 29	
			" " ..... "	Castings	19 71	
			" " ..... "	Stoves.	15 70	
			" " ..... "	"	6 10	
						72 80
			Map and School Supply Co. M.	Maps		20 00
			Thomas H. Smyth ..... "	Apparatus for Laboratory.....		14 00
			Aikenhead & Cron bie..... B.	Cutlery and Hardware.....	94 08	
			" " .... "	Hardware	9 64	
			" " .... "	"	50 77	
			" " .... "	"	16 18	
			" " .... "	"	7 49	
			" " .... "	"	3 30	
			" " .... "	"	26 13	
						207 59
			T. G. Rice..... B.	Wire cloth		5 20
			H. Tasker & Sons..... ..M.	Foils.....		3 50
			C. W. Irwin..... "	Duty on apparatus.....		5 40
			George Bengough..... "	Typewriter.....		120 00
			Bailey and Lambert..... "	Dumbells, etc.....		28 00
			Toronto Rubber Co..... "	Hose		8 25
			Eimer & Amend..... "	Chemical apparatus.....	223 38	
			" .... "	" " $24.50, cost of draft 25c..	24 75	
						248 13
			H. A. Nelson..... "	Brooms.....		3 25
			William Rennie..... "	Lawn Mower.....		19 00
			John Milne & Co..... "	Flag		7 00
			Canadian Office and School Supply Co..... .... "	Desk		92 50
			Rice Lewis & Son..... "	Iron Lathe		65 00
						1194 65
			Consumers' Gas Co ..... B.	Water & Gas:—		
			" ..... "	Gas Accounts.....	5 33	
				"	1 00	
Carried forward.....		$83410 77	*Carried forward*.....	.....	$6 33	$29874 31

No. 2.—*Continued.*

Receipts and Disbursements on Income Account.—*Continued.*

Receipts.	—	To whom Paid.	Service.	—	—	—
	$ c.			$ c.	$ c.	$ c.
Brought forward	83410 77	*Brought forward*		6 33		29874 31
		Authority.	Water and Gas—*Continued.*			
		Consumers Gas Co. B.	Gas Accounts	63		
		" "	"	2 50		
		" "	"	24 88		
		" "	"	2 48		
		" "	"	4 84		
		" "	"	13 50		
		" "	"	3 72		
		" "	"	7 32		
		" "	"	38 93		
		" "	"	9 90		
		" "	"	5 85		
		" "	"	47 14		
		" "	"	38 10		
		" "	"	79		
		" "	"	13 95		
		" "	"	4 13		
		" "	"	9 59		
		" "	"	29 59		
		" "	"	42 22		
		" "	"	7 81		
		" "	"	4 58		
		" "	"	46 78		
		" "	"	9 03		
		" "	"	4 69		
		" "	"	4 35		
		" "	"	7 70		
		" "	"	39 65		
		" "	"	36 79		
		" "	"	12 94		
		" "	"	3 01		
		" "	"	18 05		
		" "	"	1 79		
		" "	"	24 29		
		" "	"	4 58		
		" "	"	2 46		
		" "	"	8 44		
		" "	"	24 30		

"	"			2 01		
"	"			3 90		
"	"			18 05		
				591 59		
		Less rebate		47 56		
					544 03	
Water Works Dept.	B.	Water Accounts		20 48		
"	"	"		12 60		
"	"	"		54 13		
"	"	"		28 50		
"	"	"		2 70		
"	"	"		7 00		
"	"	"		14 60		
"	"	"		4 20		
"	"	"		36 12		
"	"	"		33 00		
"	"	"		2 40		
"	"	"		25 74		
"	"	"		89 46		
"	"	"			330 33	
						874 36
		Telephones:—				
Bell Telephone Co.	B.	Rent of telephone at Principal's house		15 00		
"	"	"		15 00		
						30 00
		Pew Rents:—				
St. George's Church	B.	Pew rent account		37 50		
"	"	"		37 50		
"	"	"		37 50		
					112 50	
Metropolitan Church	B.	"		36 00		
"	"	"		36 00		
					72 00	
St. Jame's Cathedral	B.	"		100 00		
"	"	"		100 00		
					200 00	
St. Andrew's Church	B.	"		162 50		
					547 00	
		Valuation Fees:—				
D. Ockerman	Bursar.	Valuation *re* Turley		8 00		
"	"	Inspection *re* Robt. Pye		8 85		
					16 85	
		Carried forward				$30752 70
Carried forward			$83410 77			

No. 2.—*Continued.*

Receipts and Disbursements on Income Account.—*Continued.*

Receipts.	—	To whom Paid.	Service.	—	—	—
	$ c.			$ c.	$ c.	$ c.
Brought forward	83410 77	*Brought forward*				30752 70
		Authority.	Incidentals:—			
		George Frost B.	Scrubbing College	15 25		
		" "	"	12 00		
		" "	Bonus for extra service	100 00		
					127 25	
		J. E. Bryant & Co M.	Books	5 00		
		" "	Vol. III. Shakespeare	5 00		
					10 00	
		Charles Brown B.	Carriages for Board	11 25		
		" "	"	7 00		
		" "	"	5 25		
		" "	"	12 50		
					36 00	
		Stuart W. Johnston B.	Chemicals, Drugs, etc	4 05		
		" "	"	13 95		
		" "	"	7 18		
					25 18	
		Williamson & Co M.	Books	28 26		
		" "	"	107 64		
		" "	"	27 25		
		" "	"	16 60		
					179 75	
		George Dickson M.	Petty disbursements	68 25		
		" "	" "	5 00		
		" "	" "	40 00		
		" "	" "	13 71		
					126 96	
		Charles Dent P.	Work during Chappell's absence through illness		7 50	
		H. A. Collins B.	Hire of lamps		5 00	
		Wm. Briggs M.	Books		3 50	
		Toronto Electric Light Co. B.	Lamps ("At Home")		8 50	
		Hunter, Rose & Co. M.	Binding		7 25	
		Sergt. Thos. Parr B.	Band for games		26 00	
		Henry R. Alley M.	Services		100 00	
		Hart & Co "	Books		11 05	
						673 94

		Wood & Macdonald.....Bursar.	Insurances *re* Mortgages :—		
		" ... "	Premiums. (See Statement No. 6).	16 53	
			" " "	13 50	
					30 03
			Insurances :—		
		Glasgow & London Ins. Co.	M. Premium on new Building.....	120 00	
		Scottish Union & National Ins. Co.....	" "	120 00	
		Queen City Ins. Co.....	" "	120 00	
		Waterloo Mutual Ins. Co..	" "	120 00	
		Ætna Ins. Co.....	" "	120 00	
		Perth Mutual Ins. Co.....	" "	120 00	
		Hand in Hand Ins. Co....	" "	120 00	
		Royal Canadian Ins. Co...	" "	120 00	
		Mercantile Ins. Co.....	" "	120 00	
		Northern Ins. Co...	" "	120 00	
		National Assurance Co....	B. " on Gymnasium contents	22 50	
					1222 50
			Residence (Stewards Department) :—		
		Swan Bros.....	B. Groceries.....	3019 42	
		J. Norwich.....	" Meat.....	2801 80	
		George Coleman.....	" Bread, etc.....	983 45	
		Toronto Dairy Co.....	" Milk.....	896 04	
		Mrs. W. Bilton.....	" Fruit, etc.....	523 46	
		Barton Bros.....	" Vegetables.....	513 97	
		W. Barrett.	" Potatoes.....	299 75	
		M. Doyle.	" Fish.....	246 44	
		C. Richardson & Co.....	" Preserves.....	474 36	
		W. Kingdon.....	" Petty disbursements	222 00	
		Knickerbocker Ice Co.....	" Ice.....	63 15	
		Harry Webb.....	" Refreshments for "At Home".....	95 00	
		R. J. Lloyd	" " "	112 50	
					10281 34
			Interest on Bank Balances :—		
		Canadian Bank of Commerce...	Interest charged on overdrawn account.....	.....	120 98
			Examiners :		
		H. R. Fairclough..Regulations.	Fee as Examiner.....	20 00	
		G. A. Chase.....	"	20 00	
		J. G. Witton.....	"	20 00	
Carried forward....	$83410 77	....	....	$60 00	$43081 49

No. 2.—*Continued.*

Receipts and Disbursements on Income Account.—*Continued.*

Receipts.	—	To whom Paid.	Service.	—	—	—
	$ c.			$ c.	$ c.	$ c.
Brought forward	83410 77	*Brought forward*			60 00	43081 49
		Authority.	Examiners—*Continued.*			
		A. A. Macdonald..Regulations.	Fee as Examiner		20 00	
		F. H. Smyth ..... "	"		20 00	
						100 00
			Law Costs :—			
		Kerr, Macdonald, Davidson & Paterson ..... B.	Extension of Clinton Ave., opinion			5 00
			Grounds :—			
		Wm. Chappell.....M.	Shovelling snow	13 05		
		" ..... "	Work on grounds	18 00		
						31 05
			Balance 30th June, 1890			40193 23
Total	$83410 77		Total			$83410 77

Explanation of Authorities.—O. C.—Order in Council. Com.—U. C. C. Committee of Senate. M.—Minister of Education. B.—Board of Trustees. P.—Principal.

Bursar's Office,
Toronto, July 2nd, 1890.

J. E. BERKELEY SMITH,
Bursar.

C. H. SPROULE,
Provincial Auditor.

No. 3.

UPPER CANADA COLLEGE.

THE BURSAR'S STATEMENT of Receipts and Disbursements on the New Building Expense Account for the year ending 30th June, 1890.

RECEIPTS.	—	TO WHOM PAID.	SERVICE.	—	—	—
	$ c.			$ c.	$ c.	$ c.
Balance 30th June, 1890	98434 85		Balance 30th June, 1889			13853 37
		John Herbert	On account of Contract	7000 00		
		"	"	1400 00		
		"	"	7000 00		
		"	"	7800 00		
		"	"	8000 00		
		"	"	10000 00		
		"	"	10500 00		
		"	"	4100 00		
		"	"	2500 00		
		"	"	4000 00		
		"	"	1000 00		
		"	"	10600 00		
					73900 00	
		W. C. McKenzie	Clerk of Works, salary		1173 00	
		McGuire & Bird	Plumbing	1280 00		
		"	"	1000 00		
		"	"	1000 00		
					3280 00	
		Archibald Sinclair	Levelling ground	250 00		
		"	"	300 00		
		"	"	275 00		
		"	"	1120 21		
					1945 21	
		G. F. Durand	Architect	1000 00		
		James Durand and David McFraser (Executors)	Architects' fees	1000 00		
					2000 00	
		R. P. Fairbairn	Surveying		32 00	
		Alex. Stephens	Work on grounds	312 85		
		"	"	193 30		
					506 15	
		Gillespie & Brooks	Walls, etc		234 16	
		James Stephens	Work on grounds	275 80		
		"	"	319 51		
Carried forward	98434 85	*Carried forward*		595 31	83170 52	13853 37

No. 3.—*Continued.*

Receipts and Disbursements on the New Building Expense Account. *Continued.*

Receipts.	—	To whom Paid.	Service.	—	—	—
	$ c.			$ c.	$ c.	$ c.
Brought forward	98434 85	*Brought forward*		595 31	83170 52	13853 37
		James Stephens	Work on grounds	259 70		
		"	"	322 95		
					1177 96	
		Hunter, Rose & Co	Printing specifications	20 00		
		"	" for Laundry and Gymnasium	59 25		
					79 25	
		Stone & Wellington	Trees		111 50	
		Consumers' Gas Company	Lamp, Clinton Ave		20 00	
		H. J. & W. A. Browne	Defining line of Avenue Road for purpose of planting trees		6 50	
		Chas. H. Rust	Drawing plans for sewer		100 00	
		The *Globe* Ptg Co	Advertising re tenders		4 50	
		The *Empire* Ptg Co	"		2 25	
		The *Mail* Ptg Co	"		4 50	
		The Toronto *World*	"		4 50	
					—	84581 48
Total	98434 85		Total			98434 85

Bursar's Office,
Toronto, 2nd July, 1890.

J. E. BERKELEY SMITH,
Bursar.

No. 4.

UPPER CANADA COLLEGE.

THE BURSAR'S STATEMENT of Receipts and Appropriations on Deposits Account for the year ending 30th June, 1890.

RECEIPTS.	$ c.	APPROPRIATIONS.	$ c.
Balance 30th June, 1889	107 95	Amount transferred to Interest on Loans, re Coates	105 00
		Amount transferred to Tuition Fees (Statement No. 2)	2 95
Total	107 95	Total	107 95

BURSAR'S OFFICE,
Toronto, 2nd July, 1890.

J. E. BERKELEY SMITH,
Bursar.

No. 5.

UPPER CANADA COLLEGE.

THE BURSAR'S STATEMENT of Receipts and Disbursements on Mason Medals Account for the year ending 30th June 1890.

RECEIPTS.	$ c.	DISBURSEMENTS.	$ c.
Balance 30th June, 1889	27 00	Rolph, Smith & Co., Medals, and engraving same (authority of Board)	52 00
Dividends Canadian Permanent Loan & Savings Co	54 00	Balance 30th June, 1890	29 00
Total	81 00	Total	81 00

BURSAR'S OFFICE,
Toronto, 2nd July, 1890.

J. E. BERKELEY SMITH,
Bursar.

C. H. SPROULE,
Provincial Auditor.

No. 6.

UPPER CANADA COLLEGE.

THE BURSAR'S STATEMENT of Receipts and Disbursements on account of Insurance *re* Mortgages for the year ending 30th June, 1890.

RECEIPTS.	$ c.	DISBURSEMENTS.	$ c.
M. Tully	3 00	E. McQuillan	8 00
R. Cridland	8 00	S. Campbell	3 00
W. Coates	3 00	J. G. Bittorf	3 00
E. McQuillan	8 00	Mary Vickers	13 50
James Graham	16 00	M. McGuire	5 00
James Bresnahan	4 10	W. Brooks	4 13
John Nightingale	15 00	J. Nightingale	15 00
John Sheik	50	T. E. Risk	13 50
M. McGuire	5 50	J. McCannel	5 00
Thos. Risk	13 50	M. H. Parker	4 00
		J. Harris	4 50
		J. E. Proctor	1 50
		M. A. Hazen	8 00
		James Butler	5 50
Balance transferred to Income Account	30 03	G. H. Sprung	8 00
		Mrs. C. A. Pye	5 00
Total	106 63	Total	106 63

BURSAR'S OFFICE,
Toronto, 2nd July, 1890.

J. E. BERKELEY SMITH,
Bursar.

C. H. SPROULE,
Provincial Auditor.

No. 7.

UPPER CANADA COLLEGE.

THE BURSAR'S STATEMENT of Receipts and Disbursements on New Building Site Account for the year ending 30th June, 1890.

RECEIPTS.	$ c.	DISBURSEMENTS.	$ c.
Balance 30th June, 1890	36882 14	Balance 30th June, 1889	36382 14
		Henderson & Small, charges for effecting exchange of properties	500 00
Total	36882 14	Total	36882 14

BURSAR'S OFFICE,
Toronto, 2nd July, 1890.

J. E. BERKELEY SMITH,
Bursar.

No. 8.

UPPER CANADA COLLEGE.

THE BURSAR'S STATEMENT of Cash Balances as at 30th June, 1890.

ACCOUNT.	DR.	CR.
	$ c.	$ c.
Cash	330 08	
Bank of Commerce overdraft		59648 83
Capital		40176 01
Income		40193 23
New Building Site	36882 14	
New Building Expense	98434 85	
Gratuities	4400 00	
Mason Medals		29 00
Total,	$140047 07	$140047 07

BURSAR'S OFFICE,
Toronto, 2nd July, 1890.

J. E. BERKELEY SMITH,
Bursar.

C. H. SPROULE,
Provincial Auditor.

TWENTY-SECOND ANNUAL REPORT

OF THE

ENTOMOLOGICAL SOCIETY

OF ONTARIO.

1890.

PRINTED BY ORDER OF THE LEGISLATIVE ASSEMBLY.

TORONTO:
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1891.

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TWENTY-FIRST ANNUAL REPORT

OF THE

ENTOMOLOGICAL SOCIETY OF ONTARIO.

To the Honourable the Minister of Agriculture:

SIR,—In accordance with the provisions of our Act of incorporation, I beg to present herewith the twenty-first annual report of the Entomological Society of Ontario.

The report contains an account of the proceedings of our annual meeting for the election of officers and the transaction of the general business of the society, which was held in the city of London on the 27th of August, 1890; it includes also the audited financial statement of the Secretary-Treasurer, the reports of the Council and Montreal branch, the President's annual address, etc.

I have also the honour to submit with the foregoing, several illustrated papers contributed by our members on injurious and other insects, which have been specially prepared for the information of the public, and are intended to assist our farmers and fruit-growers in contending with their insect enemies.

The Society's monthly magazine, *The Canadian Entomologist*, has been regularly and promptly issued during the past year, and has just completed its twenty-second volume. It continues to receive contributions from all the most eminent Entomologists in North America, and to circulate in all parts of the world. During the past year it has been found necessary to issue more than twenty extra pages in order to find space for the many valuable articles which have been furnished the editor.

It is a matter of profound thankfulness that our province, during the past year, has escaped from any serious insect attack. Those that have been specially noticeable are referred in the President's address, or described in the papers that follow.

I have the honour to be, Sir,
Your obedient servant,

W. E. SAUNDERS,
Secretary.

ANNUAL MEETING OF THE SOCIETY.

The annual meeting of the Society was held in its own rooms in Victoria Hall, London, on Wednesday, August 27th, 1890. A Council meeting was held in the morning at 10 o'clock, at which the following members were present:—The President, Rev. C. J. S. Bethune, head master of Trinity College School, Port Hope; Mr. James Fletcher, Ottawa; Mr. J. A. Moffat, Hamilton; Rev. T. W. Fyles, Quebec; Messrs. J. M. Denton, W. E. Saunders and Dr. Woolverton, London. The annual report of the Council was discussed and adopted, and other routine business was transacted. The Secretary-Treasurer presented his annual financial statement of the receipts and disbursements during the past year. The Council reported the purchase of a large collection of insects from Mr. Johnson Pettit, of Grimsby, which was deposited in the rooms of the Society. The arrangements for the formation of sections in different departments of natural science were laid before the Society by the President, and, on motion, duly approved and ratified. A scheme was submitted for the rearrangement of the work of the officers of the Society, in accordance with which Mr. J. A. Moffat, of Hamilton, is to take entire charge of the rooms, library and collections, and be a permanent resident official in London. A number of tenders for printing *The Canadian Entomologist* were received and considered; no decision was made at the time, but subsequently it was resolved that the tender of the London Printing and Lithographing Company should be accepted. Certain regulations regarding the library and the use of the rooms were drawn up and adopted.

In order to benefit members of the Society it was resolved that for a limited time the volumes of *The Canadian Entomologist*, III. to XXI. inclusive, should be sold at 75 cents each; the annual reports for the following years: 1874, 1880, 1882 to 1889, at 25 cents each; and the new lists of labels for Coleoptera at 25 cents per set, in each case strictly to members only. Applications for these publications at the reduced rates should be made to the Secretary.

It was resolved to separate the offices of Secretary and Treasurer, which have hitherto been held by one person.

ELECTION OF OFFICERS.

The following gentlemen were elected officers for the ensuing year:—

President—Rev. C. J. S. Bethune, M.A., D.C.L., Port Hope.
Vice-President—James Fletcher, F.R.S.C., Ottawa.
Secretary—W. E. Saunders, London.
Treasurer—J. M. Denton, London.
Directors—Division 1—W. H. Harrington, Ottawa.
Division 2—J. D. Evans, Sudbury.
Division 3—Gamble Geddes, Toronto.
Division 4—A. W. Hanham, Hamilton.
Division 5—J. A. Moffat, London.
Librarian and Curator—J. A. Moffat, London.
Editor of the *Canadian Entomologist*—Rev. Dr. Bethune, Port Hope.
Editing Committee—W. E. Saunders, London; H. H. Lyman, Montreal; Rev. T. W. Fyles South Quebec.
Delegate to the Royal Society of Canada—Rev. T. W. Fyles.
Auditors—J. H. Bowman, H. P. Bock, London.

After the completion of the necessary business of the Society, the rest of the afternoon was devoted to the examination of the books and collections of the Society, and the consideration of specimens brought by the members. Among these may be mentioned some live ant-lions (*Myrmelionidæ*) brought from Indiana by Mr. Fletcher; a collection of *Plusias*, and other moths recently captured at Nepigon by Dr. Bethune, and some very interesting specimens of Lepidoptera, from the Province of Quebec, by Mr. Fyles.

The meeting adjourned at 6 p.m.

In the evening the Society held a public meeting in its rooms at 8 o'clock, which was largely attended by members and other friends from London and the neighbourhood. The Rev. Dr. Bethune, President of the Society, occupied the chair. After cordially welcoming those present, he proceeded to deliver the annual address upon the chief topics of interest in the Entomological world during the past year.

ANNUAL ADDRESS OF THE PRESIDENT.

Ladies and Gentlemen,—Fifteen years have gone by since I last had the honour of addressing the members of the Society as its President. So long a period of time has naturally wrought great changes in our comparatively small circle of members, as well as in the world about us; but I am happy to see here to-night some who were with us at our annual meeting in 1875, and to know that many others have continued ever since their active interest in the welfare of the Society and the advancement of entomological science. For twelve years the presidential chair was most worthily filled by our highly esteemed friend, Prof. Wm. Saunders, who only resigned it in order to devote his whole time and energies to the great and important work which he has undertaken as director of the experimental farms of the Dominion. His great success in this new office is well known to all who take an intelligent interest in the prosperity of our country.

The removal of Prof. Saunders from an active share in the work of the Society seemed a very serious blow, and was certainly a very great loss, but happily we were able to find a worthy successor in the person of our excellent friend, Mr. James Fletcher, Dominion Entomologist and Botanist, who has so zealously performed the duties appertaining to the office of president during the last three years. With such able men at its head during so long a period of time, it may be readily understood how substantial was the progress of the Society, and how high was the reputation it achieved both at home and abroad.

The past year has been in some respects an eventful one in the history of the Society. In the month of April last I learned that Mr. Edmund Baynes Reed was about to leave this province and take charge of the meteorological station at Victoria, British Columbia. He was one of the original members, and for more than five and twenty years an active and zealous officer of the Society, filling at different times the positions of vice-president, secretary-treasurer, auditor, librarian and curator. To his energy it is due that we have obtained so large and valuable a collection of scientific books in our library; he also contributed many excellent papers to our annual reports, while discharging various other useful functions in the interests of the Society. His removal from amongst us was so serious a matter that I came up to London to make arrangements for the future management of our affairs, as well as to say good-bye to an old and very dear friend. After much consultation with Mr. Reed and other members of the council, we devised a plan for the general conduct of the business of the Society which has

been laid before you to-day, and which has resulted in the appointment of Mr. J. A. Moffat to the permanent charge of our rooms, library, collections, etc. It will be a great advantage, we are sure, in many ways, to have a qualified person to look after our possessions, and to be on hand at stated times for the admission of members to the rooms, as well as to discharge the other duties appertaining to the position to which he has been appointed.

While here in April last, a meeting of the local members of the society was held in order to consider a plan for the formation of sections which should include persons who took an interest in any department of Natural Science, and thus extend the operations of the society beyond the strict limits of entomology. The scheme which we agreed upon at that meeting was submitted to other members of the council for their approval, and has been fully ratified to-day. As its details have been laid before you already I need not repeat them here. It was very gratifying to learn that advantage was immediately taken of this arrangement, and within a few weeks active sections were formed with very satisfactory lists of members in the departments of Botany, Ornithology and Oology, Geology, and Microscopy. Many new workers have now joined our ranks, among whom we are glad to welcome a large contingent of ladies. A great impetus will thus be given, we trust, to the study of natural science in all its departments in London and the neighbourhood, and we hope that new life and zeal will be infused into the older as well as the later members by active co-operation in the field, the cabinet and the study.

Another matter upon which I may congratulate the society is the acquisition of the valuable collections of Coleoptera and other orders of insects, laboriously gathered together during many years by Mr. Johnson Pettit, an old and valued member of the society. Having ascertained that he was willing to part with his collections, I at once entered into correspondence with him, learned the sum for which he would be willing to transfer them to the society, and obtained the sanction of the members of the council for the purchase. Mr. Pettit was most reasonable in his terms when he understood the destination of the collections, and allowed us to have them at about half the price he would have asked from a private purchaser. Mr. Moffat did good service in the transaction by visiting Grimsby first to report upon the condition, quantity, etc., of the specimens, and subsequently by superintending their packing and removal to London. It is expected that during the coming winter he will be able in his capacity as curator, to dispose of many of the duplicates by sale or exchange for the benefit of the society.

I may turn now from the consideration of our own concerns to matters Entomological affecting the country at large, and following the example of my predecessors in their presidential addresses, refer to the work of injurious insects in the garden, orchard and farm. The most important insect pest that requires the careful attention of our farmers is the well-known Hessian Fly (*Cecidomyia destructor*, Say) Fig. 1, which has made its unwelcome appearance in several parts of the Province. The attacks of this insect upon barley, rye, and wheat, are seldom noticed at first, as the creature is so minute and works out of sight, sucking the sap of the plant from the stem, but concealed from observation beneath the sheath of the leaf. Its depredations are usually made known by the breaking down and falling over of the plant caused by the injury to the stem produced by the insect. There are two attacks in the year, one in the autumn, when the maggots may be found embedded in the crown of the root shoots of fall wheat; the other in the summer, when it lies under the leaf-sheath above the first or second

Fig. 1.

joint of the stem. When fully grown these larvæ harden and turn brown, resembling "flax-seeds" in shape and colour, and in this stage are well-known to observant farmers. The tiny smoky-winged midges themselves, the parents of the destructive maggots, appear in April or May, and again in August, but are seldom noticed, except by entomologists, as they are so excessively minute, and require a lens for their identification. The eggs are scarlet in colour and are laid inside the leaves of the food plant. The most effective remedies for this pest are (1). The late sowing of fall wheat; if this is postponed till about the last week in September the winged Hessian fly is gone before the young plant is sufficiently matured to receive its eggs; (2) The careful burning of all screenings and other refuse from the threshing mill; this will ensure the destruction of large quantities of the insect in the "flax-seed" state. It is well to do this whether the Hessian fly is known to be present or not; (3). The burning of the stubble after the crop has been removed; but if this is not practicable, it is well that the field should be harrowed in order to cause any fallen grain to grow at once and make what is called a "volunteer crop." This will be attacked by the fly as a suitable place for the deposit of the autumn eggs, and the brood thus produced can be readily destroyed by a later plowing after the maggots are hatched out; (4) If a field is found to be infested, care should be taken to have such a rotation of crops that neither wheat, rye nor barley should be grown upon the same ground for at least another year; (5). Good cultivation and plenty of manure will produce a strong, healthy growth and enable many a plant to survive an attack that would be fatal to a less vigorous one.

I have trespassed upon your patience to mention these well-known remedies because the subject is of such vast importance, and constant iteration is required in order that our farmers may be made familiar with the methods of treatment that have been found most satifactory. While much can be done to ward off the evil by an intelligent employment of these remedies, it is cheering to know that we do not entirely depend upon them for immunity, but that there are several minute parasitic insects which prey upon the Hessian-fly in its different stages, and in many instances prevent it from becoming a serious injury. During a recent visit to the central experimental farm at Ottawa, Mr. Fletcher showed me a number of plants of barley that were attacked by the Hessian-fly, but in nearly every one that we pulled up we found a parasitic insect closely associated with the enemy and evidently doing good work in its destruction.

Another insect that has been attacking grain in many parts of the Province is the Grain Aphis (*Siphonophora avenæ*, Fab.) As everyone who is in the least degree observant must be familiar with the appearance and habits of plant-lice, it is unnecessary to enter into any description of this insect here; it will suffice to say that it is found of different colours, green, black, yellow or red, and that it attacks first the leaves of the plant and then the flowers and tender young grain, often causing very serious damage. This year it has appeared in many localities in Ontario, but it was at once attacked by its insect enemies, notably by the larvæ and beetles of various species of "Lady birds" (*Coccinellidæ*), the grubs of Syrphus flies, and the *Aphidius* a four-winged parasitic fly. These natural enemies speedily reduced the numbers of the plant-lice and prevented their attack from becoming serious.

Cut-worms, the larvæ of several species of night-flying moths, Fig. 2. (*Agrotis, Hadena, Mamestra*) have been abundant in all parts of the country, and especially injurious in gardens, but on the whole their attack has been much less serious than last year. This may perhaps be accounted for by the character of

the season; the frequent rains during the spring and early summer causing a vigorous growth in the young plants and carrying them quickly beyond the reach of injury, while the wet weather would probably interfere greatly with the comfort of the Cut-worms and their ability to attack. The use of poisoned traps, as recommended by Mr. Fletcher in his address last year, has proved most effective wherever tried. I may repeat that they consist of loose bundles of weeds, clover or any succulent vegetation, which are tied together and then dipped into a strong mixture of Paris green and water, and scattered over the land three or four days before the crop is planted out or appears above the ground.

Fig. 2.

The Tent-caterpillars (*Clisiocampa*) which are usually so abundant and so injurious to fruit trees in spring and early summer have been remarkable for their absence or rarity, in all parts of Ontario. We hope, however, that all fruit growers and gardeners will be on the look out for them next spring and consign the webs and their inmates to a speedy destruction.

The Fall web-worm, Fig. 3, (*Hyphantria textor*, Harris) has been exceedingly abundant in all parts of the Province that I have visited this year. I do not think that this insect causes much serious injury to the trees it infests, as it comes so late in the season when the leaves have to a large extent discharged their function as regards the growth and health of the tree, but it is a great eyesore with its unsightly webs, and should be got rid of by every tidy fruit-grower. Nothing is easier than to strip off the web and its living contents with the hands, or when out of reach, by means of a pole with a swab of any kind tied to the end.

Fig. 3.

The larch saw-fly (*Nematus Ericsonii*), to which reference has been frequently made of late years, has not been nearly so abundant as usual in those parts of Ontario where it has hitherto prevailed. It is to be hoped that its natural enemies have multiplied to a sufficient extent to keep it in subjection and prevent its undue increase.

The squash-bug (*Coreus tristis*, De Geer), Fig. 4, has been very abundant and troublesome in many parts of Western Ontario this year. Where hand-picking and crushing under foot is impracticable, the insect may be readily destroyed by the application of a mixture of coal oil and sand, sprinkled over the stem and leaves nearest the root of the plant.

Fig. 4.

I have this year found a new insect enemy in the caterpillars of the beautiful wood-nymph moth (*Eudryas grata*, Fab.) Fig. 5 represents the caterpillar and moth. I have hitherto looked upon this lovely insect as an object of interest from its beauty and rarity, but this year

the caterpillars appeared in hundreds upon the Virginia creeper (*Ampelopsis quinquefolia*), which covers the front of our building at Port Hope with its graceful foliage. No attention was paid to these creatures at first, but it suddenly became apparent that they were rapidly devouring the leaves, and rendering most unsightly what was before a beautiful mass of green. They began their work near the ground and proceeded upwards, devouring the leaves as they went. On the 9th of August I had the infested creepers sprinkled with Paris green and water. One application sufficed to exterminate the insects, and none were afterwards to be seen. I have mentioned this instance particularly in order to bring before you the great advantage of using Paris green as a remedy for almost all leaf-eating insects—except, of course, those affecting cabbage and similar vegetables which are used as food. A judicious application of a very weak mixture will be found most efficacious. Proper care must, of course, be exercised when dealing with so virulent a poison. Its use as a remedy for the apple codling-worm and the plum curculio has now been fully demonstrated, and any fruit grower who will carefully follow out the directions published in our annual reports will, we are confident, be amply rewarded. It is a subject of no little gratification to us that fruit-growers in England have been at last persuaded to try this remedy, and in every instance that we have heard of the experiment has been crowned with success. It required two or three years of persistent effort on the part of Miss Ormerod aided by Mr. Fletcher to overcome the insular prejudice against adopting anything new and seemingly dangerous. Now that a beginning has been made, we hope for great results in the immediate future.

Fig. 5.

Before leaving this practical portion of my address, I wish to refer to a kindred, though not an entomological matter. I have noticed in many parts of Ontario an alarming increase of the fungus growth on plum and other fruit trees, commonly called the "black knot." An Act was passed by the Ontario Legislature a few years ago ordering the cutting down and burning of all infested trees, and imposing penalties for neglecting to do so; but the law seems to be a dead letter and no one apparently dreams of enforcing it. It would be well for our municipal councils to instruct their path-masters and other officials to look after the black-knot and enforce the law wherever its provisions are neglected. If this is not done there will soon be no cherry or plum trees left in the country, as the disease rapidly spreads, and when once it attacks a tree it is almost hopeless to attempt a cure.

Another fungus disease to which I may call your attention is the "downy mildew" of the grape. It is exceedingly injurious and very prevalent. Fortunately it may be readily checked by the use of the "Bordeaux mixture," and other compounds which fruit-growers have employed with great success.

Turning now to what I may call the non-economic aspect of entomology—though all investigations into the habits and distribution of insects have their practical bearing at some time or other—it is worthy of remark that butterflies have been extraordinarily scarce in Eastern Ontario this year. Whole days spent in collecting in localities where they were usually abundant have resulted in the capture of nothing worthy of mention. It is possible that the unwonted mildness of the winter, with its frequent changes from freezing to thawing, and the absence of snow, may have occasioned a great destruction among the hibernating

forms of diurnal lepidoptera. I am the more inclined to give credit to this cause, as I found recently at Nepigon and Port Arthur, where the winter was quite as severe and prolonged as usual, butterflies were remarkably abundant, and could be found in hundreds whenever the sun was shining. Among other interesting captures at Nepigon, which has now become a famous hunting-ground, and where the butterfly collector, careering in hot haste with net in hand after a specimen, is not regarded as an escaped lunatic, as he would be in most parts of the country, but as a scientist engaged in quite as praiseworthy an occupation as trout-fishing—among my captures I may mention a number of specimens of *Plusia* belonging to several different species. As I only returned a few days ago I have not had time to get them identified, but I have brought several of them here for inspection. They were very active indeed upon the flowers of thistles and golden rod, flitting swiftly from one to another in the hot sun.

Since our last annual meeting many important additions have been made to entomological literature. Mr. Scudder's grand work on "The Butterflies of the Eastern United States and Canada" was completed last September. It forms three large volumes, containing 2,000 pages and nearly a hundred plates and maps, about forty of which are coloured. It is truly a magnificent work and a monument of patient labor and careful scientific investigation. However much we may differ from the author on such vexed questions as generic nomenclature, the sequence of families, and the like, we must express our unbounded admiration for his ability and learning, and the excellence of his work. The long pages of descriptive matter are enlivened by essays on all manner of subjects connected with butterfly life, written in a particularly charming style, and to each chapter is prefixed a stanza or two of poetry, so apt and so beautiful, that one is lost in wonder at the diversity and extent of the author's acquaintance with literature. This feature of the work renders it available for all lovers of natural history, even though they may take no special interest in butterflies. The author has published the work at a large pecuniary sacrifice. The list of subscribers is strangely small, but we hope that ere long librarians everywhere will find out that without a copy of Scudder's butterflies their collection of books is very incomplete.

Self-sacrifice in the publication of entomological literature is the order of the day. A similar tale has to be told of the authors of the next two books that I wish to refer to. Mr. W. H. Edwards continues to issue his lovely illustrations of the "Butterflies of North America." The coloured figures of these insects in all their stages are the most perfect and the most beautifully executed that I have ever seen. Nine parts of the third series have now been issued, and the tenth is almost ready; but at what a cost to the author! In order to accomplish this stupendous work he has been obliged to dispose of his collections and nearly all his books—a sacrifice that would be heart-breaking to most of us.

The other work to which I referred is the Rev. Dr. McCook's "American Spiders and their Spinning Work," the second volume of which has just been issued. When complete the work will consist of three large quarto volumes, profusely illustrated with wood cuts and some coloured lithographic plates. It is written in a most interesting manner, and while thoroughly scientific, is so popularly and clearly expressed that it may be read with ease and delight by any one who cares to learn about the strange habits and peculiar life-history of these singular creatures. When finished it will certainly be the most complete and perfect work on spiders in the English language. In this case, too, the author is publishing at his own expense and does not expect to be reimbursed for his

outlay. All these works, I am glad to say, will be found in our Society's library and are available for the use of the members.

Serial publications on North American entomology continue to be represented by the *Transactions of the American Entomological Society*, Philadelphia; *Psyche*, Cambridge, Mass.: *Entomological Americana*, Brooklyn, N. Y.; *Insect Life*, Washington, D.C., and our own *Canadian Entomologist*. Another addition has been made to the list this year by the issue of *Entomological News and Proceedings of the Entomological Section of the Academy of Natural Sciences of Philadelphia*. The working entomologist can hardly do without any of these publications; each one occupies its own special field, and all are valuable and interesting. Our own magazine, now in its twenty-second volume, continues to be issued with regularity, and, I am happy to say, receives contributions from all the most eminent entomologists in North America, and occasionally from others in Europe.

The study of economic entomology has been making vast strides during the last few years, owing to the establishment of experimental agricultural stations in all the States of the Union, and the appointment in many of them of a skilled entomologist. The bulletins issued from these stations and the central department at Washington are too numerous to mention in detail: they are replete with useful information and interesting records of experiments and observations. That the work is eminently scientific is shown by the names of those employed, for instance, Dr. Riley, Mr. Howard, Dr. Lintner, Professors Forbes, Cook, Smith, Fernald, Webster, Weed. These names, and many others are familiar to us all as men of distinction in their several localities and departments.

In our own country much valuable work is being done by Mr. Fletcher the Dominion Entomologist at Ottawa, not only by his investigations and the published results, but also by the addresses which he gives in different places to the meetings of Farmers' Institutes. He is in this way diffusing throughout the country a knowledge of friends and foes amongst insects, and the best modes of encouraging the former and exterminating the latter. The result of his work must in course of time be the saving of hundreds of thousands of dollars to the farmers and fruit-growers of the Dominion.

In England Miss Ormerod continues her unselfish devotion to the cause of economic entomology. Her annual reports are full of very valuable information, and have done much good in the mother land. It is gratifying to find that this department of practical work is being developed also in other parts of the British Empire. We have received a useful report on insect and fungus pests from the Department of Agriculture at Brisbane, Australia, prepared by Mr. Henry Tryon, of the Queensland museum, and several numbers of *Indian Museum Notes*, published at Calcutta by the Government of India Revenue and Agricultural Department. These "Notes" are edited by Mr. E. C. Cotes, and contain a large number of most interesting and valuable papers, both scientific and practical, illustrated with excellent engravings.

Before leaving this subject, I must not omit to mention the publication last autumn of a bulletin on the "Mediterranean Flour-Moth" (*Ephestia Kuhniella*, Zeller), prepared by Dr. Bryce, of Toronto, and issued by the Agricultural Department of Ontario. It is an excellent pamphlet and contains just what one wants to know about this new pest. The mischief referred to seems to have been stamped out, at least I have not heard of any further cases of attack in this province, and we may be quite certain that after the experience of last year, our millers will keep a sharp look out for the pest, and deal with it promptly should it show itself again.

I feel now that I have trespassed quite long enough upon your patience, and must bring my remarks to a close. The prospects of our Society are bright and cheering; we may well congratulate ourselves upon what has been accomplished in the past, and look forward with pleasant anticipations to the future. Let each member work honestly and faithfully in his own special department, and let us all unite in upholding the interests of the Society, and doing all that we can to increase its usefulness, maintain its reputation and ensure its success.

After a cordial vote of thanks to the President for his interesting address had been duly moved and seconded, Mr. Fletcher was called upon to give an account of the meeting at Indianapolis of the Entomological Club of the American Association for the Advancement of Science, to which he had been sent as delegate by the Society, and from attending which he had just returned. Mr. Fletcher stated that it had been an exceptionally good meeting, attended by a larger number than usual of eminent entomologists and botanists, and that its discussions were remarkably interesting and useful. The full account of its proceedings will be found in a subsequent part of this report.

The Rev. T. W. Fyles read a scholarly paper, entitled, "A Day in the Woods," which was highly appreciated by the audience.

The reports of the Council, the Montreal Branch, and the delegate to the Royal Society were read by the President.

REPORT OF THE COUNCIL.

The Council of the Entomological Society of Ontario beg to present the following report of their proceedings during the past year:—

The Society, they are happy to say, continues to prosper and maintain its usefulness. The membership is satisfactory and increased interest is being taken in its work.

The twentieth annual report on Economic and General Entomology was sent to the Minister of Agriculture in December last, and was printed and distributed in the following May. As it has been for some time in the hands of the members of the Society, it is unnecessary to refer particularly to it. It consisted of 104 pages, with 50 wood cuts in illustration, and was quite up to the average in the papers which it contained.

The *Canadian Entomologist* has been regularly issued at the beginning of each month, and is now approaching the completion of its 22nd volume. It continues to receive valuable contributions from all the leading entomologists in North America, as well as from some in Europe, and is regarded by scientists as a highly important magazine in the department which it occupies. The editor has found it necessary on two occasions recently to enlarge the number of pages from 20 to 24 in May and 28 in August, owing to the pressure upon his space.

After the disastrous fire at the University of Toronto in February last, the Council decided to present to the library a complete set of the *Canadian Entomologist* and the annual reports.

Several valuable additions have been made to the library of the Society during the past year, among which may be mentioned Mr. S. H. Scudder's "But-

terflies of the New England States and Canada," which is now completed and bound, and the Rev. Dr. McCook's "Spiders and their Spinning-work," two volumes of which have thus far been issued.

In April last a meeting of the Society was held in London, with the president in the chair, at which plans were discussed for the formation of sections of the Society in other departments of natural science. The memorandum agreed upon at the time is herewith submitted for approval and ratification.

In consequence of the removal of Mr. E. Baynes Reed from London to British Columbia, to take charge of the Dominion Meteorological Station at Victoria, it will be necessary to make some new arrangements for the care of the library and collections, and the performance of the official work of the Society. The Council will submit a scheme for the appointment of a permanent officer in the person of Mr. J. Alston Moffat, of Hamilton, which they trust will be found to work satisfactorily, and to increase the usefulness and prosperity of the Society.

The Council desire to place on record their feeling of deep regret at the removal of Mr. Reed from this Province and the loss which the Society thereby sustains. Mr. Reed is one of the original members of the Society, and for more than a quarter of a century has been one of the most active and zealous of its officials, filling at different times the positions of vice-president, secretary-treasurer, librarian, curator and auditor. To him it is especially due that the library has grown to its present dimensions and value, and that so much progress has been made by the Society in many directions. The Council beg to thank Mr. Reed for his services in the past, and wish him all possible success and prosperity in his new and important sphere of labour.

During the month of May last arrangements were entered into for the purchase of the large collections in Coleoptera and other orders of insects made by Mr. Johnson Pettit, of Grimsby. The packing and transportation were superintended by Mr. Moffat, and the collections are now safely deposited in the rooms of the Society.

In accordance with our long-established custom, a member of the Council, Mr. Fletcher, has attended, as representative of the Society, the meeting of the Entomological Club of the American Association for the Advancement of Science, which has just been held at Indianapolis, Ind. Mr. Fletcher will submit a report of its proceedings.

The report of Mr. Lyman, the delegate to the Royal Society of Canada, and the report of the Montreal Branch, are presented herewith. The accounts of the secretary-treasurer have been duly audited, and will be laid before the Society.

Tenders for printing the *Canadian Entomologist* have been procured from several printing offices in London and Toronto, and are now laid before the Society for consideration.

Respectfully submitted on behalf of the Council.

CHARLES J. S. BETHUNE,
President.

REPORT FROM THE ENTOMOLOGICAL SOCIETY OF ONTARIO TO THE ROYAL SOCIETY OF CANADA.

BY H. H. LYMAN, DELEGATE.

As delegate from the Entomological Society of Ontario, it is again for the third time my duty to submit a short report of the work and progress of the Society during the past year, and I have much pleasure in saying that the Society continues to prosper and to maintain its high position among the scientific institutions of the Dominion and the continent.

The monthly magazine of the Society, the *Canadian Entomologist*, has been regularly and promptly issued during the past year and fully maintains its well known high character. The volume for 1889, which was the twenty-first volume, contained the usual 240 pages of reading matter, and had also one plate. The contributors numbered thirty-four and the articles were quite up to the usual standard of interest. One new genus, thirteen new species and seven new varieties of various orders were described in the volume, which also contained the complete life-histories of four species and partial ones of eight others. A series of papers on popular and economic entomology were also published during the year.

The annual report of the Society for 1889 to the Minister of Agriculture for Ontario has been published and contains many interesting papers of much importance to agriculturists, besides the usual report of the annual meeting and of the finances of the Society.

The annual meeting of the Society was held in Toronto on September 3rd, during the meeting in that city of the American Association for the Advancement of Science, which afforded our members the pleasure of meeting some of the distinguished entomologists of the neighbouring republic whose presence also added much interest to the meeting of our Society.

Our members also enjoyed the pleasure of attending the meetings of the Entomological Club of the American Association, presided over by our then President, Mr. Fletcher.

During the progress of these meetings it was resolved to form an "Association of Official Economic Entomologists" for the United States and Canada, which was accordingly organized and officers duly elected.

This movement is likely to have a very beneficial effect in securing greater co-operation among entomologists in official positions, and the annual meetings with the interchange of members' views cannot fail to be productive of much good. The library of our Society is in excellent order and was reported at the annual meeting as containing 1,052 volumes.

On account of certain provisions of "The Agriculture and Arts Act" of Ontario, recently passed, it was found necessary to make certain changes in the council of the Society, as the Act provides that all societies which receive aid from the Ontario Government must be governed by a board of directors who are residents of the agricultural divisions which they represent, the Entomological Society being permitted to group the thirteen agricultural divisions into five with one director for each. This Act will of course prevent any member of the Society residing out of Ontario holding any of the more important positions in the gift of the Society.

The following officers for the ensuing year were duly elected:

President—Rev. C. J. S. Bethune, M.A., D.C.L., Port Hope.
Vice-President—E. Baynes Reed, London.
Secretary-Treasurer—W. E. Saunders, London.
Librarian—E. Baynes Reed, London.
Curator—Rowland Hill, London.
Directors, Division 1—W. H. Harrington, Ottawa.
" 2—J. D. Evans, Sudbury.
" 3—Gamble Geddes, Toronto.
" 4—J. Alston Moffat, Hamilton.
" 5—J. M. Denton, London.
Editor of the *Canadian Entomologist*—Rev. Dr. Bethune, Port Hope.
Editing Committee—James Fletcher, Ottawa; J. M. Denton, London; Rev. T. W. Fyles, South Quebec; Dr. Brodie, Toronto.
Delegate to the Royal Society of Canada—H. H. Lyman, Montreal.
Auditors—J. M. Denton and E. B. Reed, London.

Early last month our Society, on the suggestion of the President, resolved to extend its field of operations by permitting the formation of sections for the study of other branches of Natural History, and sections have already been formed in Botany, Ornithology, Geology, and Microscopy, and joint field meetings of all the sections will be held regularly during the summer. This movement will, it is anticipated, strengthen the Society by bringing in many additional members. It is also hoped that arrangements may be effected to keep the rooms of the Society open daily.

The Montreal Branch, of which I have the honour to be President, continues I am happy to say in a prosperous condition. A number of new members have joined during the past year, and the monthly meetings have been regularly held and have been usually well attended.

Mr. Scudder's magnificent work on the Butterflies of New England, to which reference was made last year, was completed last October, and its issue marks an epoch in the history of North American Entomology.

The placing by Parliament during the past session, of books which have been published for twenty or more years upon the free list, is a measure of great importance to entomologists, as it removes a very burdensome tax upon men whose studies are seldom remunerative in a pecuniary sense, and will tend to encourage the bringing into the country of many valuable works upon this science which would not otherwise have been done.

REPORT OF THE MONTREAL BRANCH.

The seventeenth annual meeting of the Montreal Branch was held at the residence of Mr. Lyman on May 23rd, 1890, at 8 o'clock, p.m.

The following report of the Council was then submitted by the President:

SEVENTEENTH ANNUAL REPORT OF THE MONTREAL BRANCH OF THE ENTOMOLOGICAL SOCIETY OF ONTARIO.

The Council in presenting their report for the year 1889-90, can state with pleasure that the past year has been one of progress for the Branch, no less than six new members having been elected during the year.

The names of those added to our roll are Messrs. Chas. Jackson, P. M. Dawson, E. F. Baynes, Alfred Griffin, G. M. Edwards, and W. C. Adams; but of these Mr. Dawson has recently left Montreal to pursue his studies elsewhere.

During the year ten meetings have been held, one of which, viz.: that in June, held at the residence of Mr. Trenholme, in Cote St. Antoine, was primarily devoted to collecting nocturnal lepidoptera.

The following papers were read during the year:—

1. The North American Callimorphas; A Reply to Critics. H. H. Lyman.
2. Some Insects injurious to the Oak; F. B. Caulfield.
3. Notes on the Lepidoptera of Little Metis, P. Que. A. F. Winn.
3. A Trip to Mount Mansfield. H. H. Lyman.
5. Note on the Occurrence of Erebia Discoidalis at Sudbury, Ont. H. H. Lyman.
6. Notes on some species of Coccinellidæ found at Montreal. F. B. Caulfield.
7. Entomology of Pittsfield, Mass. P. M. Dawson.
8. Note on the occurrence of Lepisesia flavofasciata at Ormstown, P. Que. H. H. Lyman.
9. Various notes on Coleoptera. J. F. Hausen.

Comparatively little field work was done during the collecting season of 1889, owing to the unusual scarcity of insects of those orders studied by the members, and though the prospects for this season are not as yet very encouraging, we may hope that more will be done, especially with the increased membership of the Branch; and it must also be remembered that even in an unfavourable season good work may be done in discovering the preparatory stages and foodplants of insects where these are unknown, or only partially known, as was the case last season in regard to Grapta J. album, which was bred by two of our members.

Submitted on behalf of the Council.

(Signed) H. H. LYMAN, President.

The Secretary-Treasurer then submitted the financial statement, shewing a balance on hand of $8.77.

The reports having been adopted, the following officers were elected for the ensuing year:—President, H. H Lyman; Vice-President, F. B. Caulfield; Secretary-Treasurer, A. F. Winn; Council, E. C. Trenholme and J. F. Hausen.

The President then read an interesting paper, "Notes on Argynnis freya A. Charicles, and H. Montinus," dealing with the differences between these species and illustrating them by specimens.

(Signed) E. C. TRENHOLME,
Sec.-Treasurer.

ANNUAL STATEMENT OF THE TREASURER.

Receipts, 1889-90.

Membership fees	$229 53
Sales of *Entomologist*	110 89
" pins, cork, etc	141 54
Advertisements	13 1
Government grant	1,000 00
Interest	10 08
Balance from last year	121 73
	$1,629 96

Expenditure, 1889-90.

Printing	$431 75
Report and meeting expenses	154 15
Library	57 26
Purchase of collections, etc	318 52
Expense account (postage, stationery, etc)	91 69
Rent	80 00
Insurance	35 00
Grants to Editor, Secretary and Librarian	200 00
Cork, pins, etc	107 69
Balance	153 90
	$1,629 96

The President read the memorandum which was drawn up in April last regarding the formation of sections of the Society in various departments of natural science, and after giving an account of the enthusiasm with which the project was taken up by the naturalists in London, he congratulated the members on the success of the movement and hoped that it would long continue.

A paper by Mr. Frederick Clarkson, of New York, entitled "Observations from the top of a White Mountain coach," concluded the formal part of the meeting, and was listened to with much interest. At the request of those present, Dr. Bethune gave an entertaining account of the admirable work of Miss Eleanor A. Ormerod, the foremost economic entomologist of Great Britain, including pleasant reminiscences of his personal acquaintance with her.

The meeting then proceeded to discuss the locality and arrangements for an outing the next day, and decided upon visiting the banks of the River Thames a few miles below the city, where there is an excellent collecting ground.

Mr. Dearness, Mr. W. E. Saunders and Dr. Woolverton were next called upon to give a report of the proceedings in the botanical, ornithological and geological sections respectively; their remarks were highly interesting and encouraging, and proved that the new departure made by the Society is an excellent one and must greatly redound to its success and prosperity.

After some congratulatory remarks by the President upon the admirable showing of the Society for the past year, the meeting adjourned.

A DAY IN THE WOODS.

BY THE REV. THOMAS W. FYLES, SOUTH QUEBEC.

A day in the woods! What delightful reminiscences do the words awaken —recollections of bird-nesting and nutting expeditions, and of

"The days when we went gipsying a long time ago."

To the busy man, who loves business for itself, a day of relaxation can hardly be unwelcome; but to the man who leads a busy life, not from choice, but from stress of circumstances and for whom the wilderness and the solitary place have especial charms, how delightful is it to escape from his accustomed haunts, and "far from the madding crowd's ignoble strife," to look into the fair face of Nature, and to listen with loving reverence whilst she tells of many things.

It was with something akin to the feelings of such a man that on the 6th day of August last, I proposed to the young people at my house that we should have a day in the woods. The proposition was joyfully welcomed, a party was soon made up, the horse was harnessed, lunch baskets were packed, tin-pails for berrying were stowed away and forthwith we started. We drove along the cliff road to St. David's and then took a by-road leading to St. Henri's. Soon we came to a region of sand. Wherever the turf was cut by the wagon-wheels sand appeared. With change of soil, a change of flora and fauna may be expected. The first thing that took my attention was the multitude of tiger beetles frequenting this green lane. A sandy tract in which ant-hills are numerous is the favorite hunting ground of the cicindelidæ, and in such a tract the mining operations of their larvæ may be easily carried on. Amongst the beetles that I noticed on this occasion, was the blue-black cicindela with the yellow clypeus

(*C. longilabris* Say), the rich rosy-purple (*C. purpurea*, Oliv.), (Fig. 6), and the deep bronzed-green (*C. limbalis* Kl.). My efforts to capture some of these aroused the curiosity of some *habitants* who were working in an adjacent field. At first they looked with the utmost astonishment at my proceedings, and shook their heads at one another as much as to say, *He is very far gone;* but soon a light seemed to dawn in upon them and there was a general clearing up, they came, in fact, to the conclusion that I and my party were bound on a fishing excursion to the Falls of the Etchemin, and that I was prudently laying in a supply of grasshoppers for bait And shortly afterwards, when I had occassion to speak to them, I received respectful greeting and attention as one who *knew what he was about.* Resuming our journey we came to a region of second growth balsams, broken in upon by poorly cultivated fields in which blue-berry bushes abounded, and by tracts of green velvety moss dotted over with young pines. As we entered this region the passage of our vehicle disturbed a butterfly. "There goes *Neonympha canthus*," I said. but in a moment the thoughts of the incongruities of time and place for this induced me to leave my wagon and go in search of the insect, and soon I had the great delight of securing for the first time, a living specimen of *Debis Portlandia*. Gosse took this species many years ago at Compton, P. Que., and D'Urban in Argenteuil county, on the River Rouge. It has since been taken by Mr. Caulfield and Mr. Winn on Mount Royal, and by Mr. Fletcher in the neighbourhood of Ottawa. The insect is, however, rare in the Province of Quebec. In the course of a few hours I took two others specimens, dilapidated females. I found that the ovary of one of these had been quite emptied, from the other I obtained by pressure five pearly-white eggs, large for the size of the insect.

Fig. 6.

I did not find *D. Portlandia* difficult to catch. It has the habit of flitting for a few rods, and then settling on the trunk of a tree a yard or two from the ground, trusting it would seem for security to the similarity of its colours to those of the lichens that cling about the balsam stems.

In the glades and open fields *Argynnis Aphrodite* and *Argynnis Atlantis* were everywhere abundant, the latter being readily distinguished by their dusky beauty from their brighter companions. Whilst I was watching these active fritillaries, a butterfly of a different form came into the field. It proved to be *Grapta gracilis*. It was the only one of its kind that I could discover. Another good butterfly that I took on this occasion was *Thecla Titus*. This insect appears to be very widely distributed in Quebec Province. I have found it on Mount Royal, at Oka on the Ottawa, in the Eastern Townships and at Quebec, but solitary, or in pairs only.

Amongst the moths that showed themselves on this occcasion, I noticed two very perfect specimens of that showy insect *Arctia Saundersii*, (Fig. 7), also the beautiful Plusias, *Simplex* and *Precationis*. On the trunks of the trees *Pretophora truncata* was to be seen, and, of course, that ubiquitous insect *Drasteria erecthea* (Cram.) was constantly rising from the grass at my approach. The hour for luncheon having arrived, and my boy having kindled a fire and made the tea, the fruit gatherers were summoned and soon appeared laden with their spoils, raspberries, blueberries and the fruit of *Amelanchier Canadensis* (Torr. and Gr.), called by the French-Canadians *poires*. We sat down under a spreading beech, and amidst such

Fig. 7.

a beating of drums as the Queen of England holding high festival in Windsor Castle never heard, for it seemed as if from every tree *Cicada canicularis* was sounding its note. The tattoo of this insect increases in intensity for a while and then breaks off with a few disjointed beats. Now and then a sudden whir-r-r would be heard and the dark body of the bug would be seen shooting like a bolt to fresh vantage ground, the transparent wings of the insect being invisible against the blue sky.

After luncheon the most interesting discovery that I made was that of a species of Gelechia inhabiting galls on the white aster (*Diplopappus umbellatus* Torrey and Gray). The galls were found well up the stems of the plant, from a foot to two feet above the ground, and were smooth and onion-shaped. The largest specimens were five-eighths of an inch across. On opening the galls I found in several a brown chrysalis resting upon a web stretched across the interior. At the bottom was some decomposed matter, and near the top a neat round hole bitten through to the outer skin of the gall. In others of the galls I found a number of white shining grubs, blunt at one end and tapering at the other. Their length was about one line. I counted ten of these in one gall, and they were evidently consuming the remains of their host. In some instances the grubs had spun up into light drab cocoons.

In a few days I obtained from the galls four moths and two ichneumon flies. The latter were black with orange legs. The following is the description of the moths :

Length of body four lines, expanse of wings eight to nine lines.

Head white, eyes black, labial palpi recurved—first joint large and white, lower half of second joint white, upper brown with a white tip, antennæ filiform, light brown ringed with black.

Thorax reddish chocolate in colour; fore-wings rich chocolate red with a white divided fascia near the hind margin, under side grey; hind-wings pale silvery grey; fringes grey with a faint brownish gloss.

Abdomen golden yellow on the upper side of the three first segments, the rest light brown.

These moths differ considerably from those figured and described by Mr. Kellicott in Vol. X. *Can. Ent.*, p. 201, and from those described by Mr. Riley in the First Missouri Report, p. 172. I would suggest for them the name of *Gelechia gallædiplopappi.*

The life of the Gelechia in its early stages is an interesting and suggestive one. The creature lives and toils in the narrow area of its prison-house, knowing nothing of the higher life and the glorious field for which it is destined, yet impelled by its instincts to make preparations for the change. Dire foes it has; and can it be that some violation of instinct, some erratic course on the part of the larva lays it open to the assaults of these? We know not, but possessed by these, it fails to attain to that nobler state of existence—which things are an allegory, suggestive to us of joys for which we yearn and evils which we fear.

Here as elsewhere this season I could not but notice the abundance of hairy caterpillars, Arctians of various kinds. A large proportion of these caterpillars had been overtaken with a strange disease—a sort of mange—and many had already succumbed to it. The warts upon the caterpillars had dried up, the bristles had blanched and loosened, the intestines had disappeared, and the outer frame of the insect had become spongy, the annules parted at a touch. The unfortunate insects were the prey of a fungus which has been identified by Dr.

Thaxter as *Entomophthora grylli var aulica* (Fres.) I am inclined to believe that the intense heat following upon the long spell of wet weather that we had in early summer induced the disease. Such an epidemic amongst caterpillars I have not witnessed since the time—some years ago—that the larvæ of *Pieris rapæ* were swept away by thousands.

Everywhere upon the choke-cherry bushes were to be found colonies of the little yellow, black-headed larvæ of the Tortrix (*Cacœcia cerasivorana*, Fitch). They bind the terminal leaves of the shoots together with a dense web, and carry on their operations under its shelter.

Of the Coleoptera but few specimens presented themselves. I took several of *Coccinella novem-notata* (Hb.), (Fig. 8) and one handsome Leptura, dusky yellow with a distinct black cross on the elytra. This Mr. Moffatt has identified for me as *L. subhamata* (Rand). The order of insects that was most numerously represented on this occasion was the Hymenoptera. Among the species I noticed were *Bombus ferridus*, (Cress), *Bombus ternarius*, (Say), *Bombus consimilis*, (Cress), *Anthophora bomboides*, (Kirby), *Andrena nivalis*, (Smith), *Vespa media*, (Oliv.), *Odynerus capra*, (Sauss.), *Eumenes fraterna*, (Say), *Crabro singularis*, (Pack), *Helychrum violaceum*, (Lepelle), *Ichneumon grandis*, (Brulle), *I. latus*, (Brulle), and the males of *Uroceros cyaneus*, (Fab.)

Fig. 8.

By this time the sun was getting low in the sky, and the voices of my young friends were, I fancied, a little less jubilant than they had been earlier in the day, and feeling the wisdom of not driving pleasure into satiety, I gave the word for the return. Besides my captures, we took back with us a large pailful of raspberries, another of blueberries and a smaller one of *poires*. All of which were afterwards preserved. So we hope that in the dark days of winter we shall be reminded, frequently and pleasantly, of our day in the woods.

OBSERVATIONS FROM THE BOX OF A WHITE MOUNTAIN COACH.

BY FREDERICK CLARKSON, NEW YORK.

On a journey through the White Mountains of New Hampshire, *en route* to Bar Harbor, Me., the past summer, I observed the following Lepidoptera: At Franconia Notch, altitude 2,014 feet, P. Turnus was abundant, constantly flying along the drive and in the woods bordering the road. At the Flume, altitude 4,500 feet, by wet places on the road as many as fifty were found congregated apparently enjoying the moisture. At greater elevations Turnus was rarely seen and above the timber line I failed to discover any Lepidoptera. At the Crawford Notch, altitude 3,134 feet, and through the Glen, Turnus was ever in sight, its brilliant yellow wings contrasting beautifully with the luxuriant green of these primeval forests. In thick woody places, and where the sun shone through in patches, the coquettish L. arthemis frequently appeared, ever alighting within your reach and ever darting away again with hide and go seek playfulness. A. Aphrodite with wings of "Silver bells and cockle shells" delighted the eye in its graceful flight along the road way between Jefferson and Fabyan, and C. philodice, (Fig. 9), rising with the dust at the horses' feet would encircle the coach, and then wander away to join its companions at the roadside brook. D. archippus,

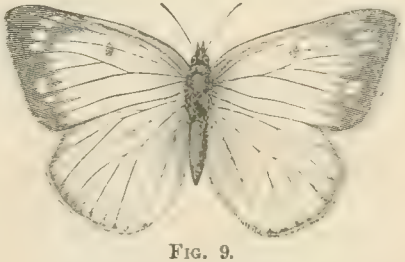

Fig. 9.

(Fig. 10), the universal beauty, though not numerous in the White Mountains as early as the 11th of August, was occasionally seen flitting from flower to flower

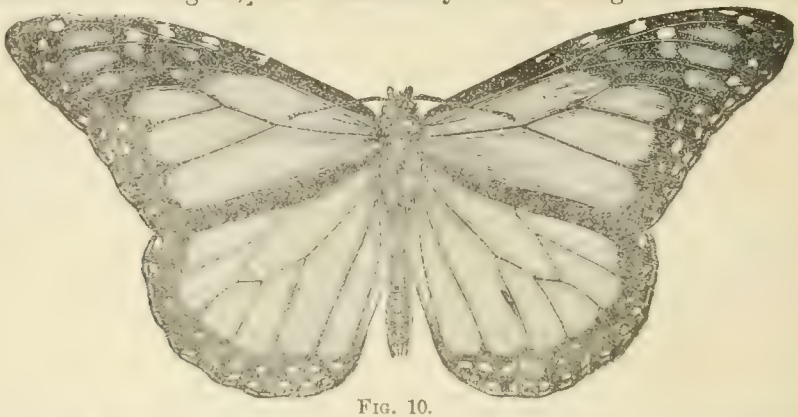

Fig. 10.

with all its well known elegance and dignity of motion. In a small cabinet at the Hotel Waumbek, at Jefferson, there is a single specimen of Chionobas semidea, (Say), captured on the summit of Mount Washington. This butterfly, says Scudder, feeds on sedges and lives upon the summit of Mount Washington; the genus containing several species, is, according to Packard, found on Alpine summits, and in the Arctic regions and on subarctic mountains. It must be a hardy insect to withstand the variable temperature of the mountain top. At the Summit House on Mt. Washington, the mercury on the 15th of July, at 5 a.m. stood at 47°, while a few days previous it was as low as 27°. At midday the power of the sun is felt, and the temperature is as high as that at a much lower altitude.

The cabinet, already referred to, at the Hotel Waumbek, Jefferson, contains the following Lepidoptera, the greater part being captures made at Bethlehem, which is at an altitude of 1,450 feet:

P. Turnus.
D. Archippus.
L. Misippus.
A. Aphrodite.
V. Antiopa.
G. Interrogationis.
C. Philodice.
P. Cardui.
S. Alope.
P. Cecropia.
T. Polyphemus.
A. Luna.
E. Grata.
S do.
M. Quinque-maculata.
C. Piatrix.

The Profile House, at Franconia Notch, has also a collection of Lepidoptera. The cabinet contains the following, all of which were captured in the vicinity of the hotel, altitude 1,054 feet:

P. Turnus.
V. Antiopa.
P. Atalanta.
D. Archippus.
P. Cardui.
L. Arthemis.
A. Aphrodite.
C. Philodice.
P. Cecropia.
A. Luna.
S. Kalmiae.
S. Drupiferarum.
C. Ultronia.
A. Nessus.
A. Octomaculata.

A stray setter followed our stage from Mount Washington to the Glen and suggested an Entomological joke which I subjoin, and with which I close this record.

What is the name of your dog?
Well, I call him Entomology.
Rather a queer name for a dog, isn't it?
No, I think it singularly appropriate.
Why, Entomology is a science, and means a discourse on insects, in short, it is wholly and altogether a subject of insects.
That's just the reason why I call my dog Entomology, for he is wholly and altogether a subject of insects.

MEETING OF THE SOCIETY IN APRIL.

A meeting of the London members of the Entomological Society of Ontario was held in the rooms, Victoria Hall, London, on Friday evening, April 11th, 1890: the president, Rev. C. J. S. Bethune in the chair. The following resolutions were adopted·

That with a view of increasing the usefulness of the Society and furthering the study of Natural History and the kindred sciences it is desirable to follow the method of the Canadian Institute and the American Association for the Advancement of Science, and permit sections to be formed for the various branches of Botany, Ornithology and Oology, Microscopy, Geology, and such others as may from time to time appear to be desirable. The basis proposed is as follows:

1. All members of the sections shall be members of the Entomological Society and be governed by its rules and regulations and entitled to all its privileges.
2. Any five members may, with the permission of the Council, form themselves into a Section devoted to some special branch, and organize the same, appoint officers and make rules for the meetings, etc., the same not being contrary to the rules of the Society.
3. One-half of the annual fee of each member of a section shall be refunded by the Entomological Society to the Treasurer of that section for the use and benefit of the section.
4. All members of the Society shall be free to attend any meeting of a section and take part in its discussions, but only those shall be entitled to vote who shall have signed the roll of that particular section.
5. A member may elect to be member of one or more sections, but the one-half of the fees returned by the Society can only be paid to one section.

That it is desirable in the interests of the Society that some one should be found who would keep the rooms open daily and be in charge thereof.

The meeting then adjourned.

ORGANIZATION OF SECTIONS.

The following report is taken from the London *Free Press*, of May 5th, 1890

A most enthusiastic meeting of Naturalists was held in the rooms of the Entomological Society on Saturday evening, for the purpose of organizing sections of the Society for the purpose of active work in the kindred branches of natural history. Sections were formed in Botany, Ornithology, Geology and Microscopy, with the following chairmen *pro tem*: -Botany, John Dearness; Ornithology, William Saunders; Geology, Dr. Woolverton; Microscopy, Prof. J. W. Bowman. Evenings were selected for organizing the sections and the meeting then adjourned. The Botanical section met at once and elected officers as follows:—chairman, John Dearness; vice-chairman, Prof. J. H. Bowman; secretary, Dr. Susannah Carson. The following persons signified their intention of joining the section:—Dr. Jennie Carson, Mrs. W. E. Saunders, Miss Edith McMechan, Miss Fowler, Drs. Hodge and Woolverton, Messrs. E. B. Reed, A. McQueen, A. O. Jeffery, S. H. Craig, Saunders, J. Balkwill, Kelley, A. Craig, R. Elliott and R. A. Gray.

The next meeting will be held on Saturday evening, 10th inst., at 8 o'clock, in the Entomological rooms at which it is expected there will be a large attendance of ladies as well as gentlemen. Mr. Dearness will give suggestions as to collecting and preserving plants, while the identification of plants collected during the week will be an item of special interest. The Ornithological section meets to night in the Entomological rooms and a general invitation is extended to all interested in the study of Ornithology and Oology to attend so as to make the organization complete at once and ready for the season's study.

ENTOMOLOGICAL CLUB OF THE A. A. A. S.

The Entomological Club of the American Association for the Advancement of Science, assembled in the State House at Indianapolis, Ind., on Wednesday, August 20th, 1890, and began its regular sessions at 9 o'clock a.m., the President, Prof. A. J. Cook, Agricultural College, Mich., in the chair.

There were present during the meetings: W. B. Alwood, Blacksburgh, Va; Geo. F. Atkinson, Columbia, S. C.; W. S. Blachley; P. Carter; Prof. E. W. Claypole, and K. B. Claypole, Akron, Ohio; F. S. Earle, Ocean Springs, Michigan; S. G. Evans, Evansville, Ind.; James Fletcher, Ottawa, Ont.; H. Garman, Lexington, Ky.; Mrs. O. Hanney; C. W. Hargitt, Oxford, Ohio; Thos. Hunt; John Marten.

Albion, Ill.; Miss Mary E. Murtfeldt and Miss Augusta Murtfeldt, St. Louis, Mo.; W. W. Norman; Prof. Herbert Osborn and L. H. Pammel, Ames, Iowa; R. S. F. Perry; C. Robertson, Carlingville, Ind.; Prof. J. W. Spencer, Athens, Ga.; James Troop and Prof. F. M. Webster, Lafayette, Ind.; Dr. Clarence M. Weed, Columbus, Ohio, and others.

THE PRESIDENT'S ADDRESS.

The President, Prof. A. J. Cook, delivered the following address on teaching entomology:

Ladies and Gentlemen of the Entomological Club.—I congratulate you that another year has passed, and our number has not been broken in upon by death. While our ranks have been much enlarged, no one has been called to that undiscovered country from whose bourne no traveller returns. I also congratulate you upon the great increment in our force of working entomologists. I think I may say, with no fear of contradiction, that no year in the history of America has been so remarkable in this respect as has the last. This is a cause for special felicitation, not only to entomologists, but to all our people. Ours is a tremendous country—by ours I include, of course, our Canadian brothers, for we, as scientists, know no line of separation—and to spy out the entire land needs an army of workers or observers, all trained to keen sight and ready apprehension. But more than this the magnitude of our country is fully equalled by the magnitude of the insect hosts, and to know all of these, with their full life history, requires an incalculable amount of closest research. But our business economy demands this for all our species: for so wonderful is the balance of nature, so close the relations of all species of life, that really we may hardly divide insects into those important and those unimportant in our agricultural economy. All are important; and so from an economic, no less than a scientific standpoint, it is desirable that all such research be widely encouraged, and it is a most hopeful omen—the rapid increase of earnest and trained workers. I shall not in this address occupy time by giving the peculiarities of the season in respect to insects, nor yet call attention to interesting discoveries, like the importation of the *Vedalia cardinalis*. All these will be brought out in papers and discussions. I must, however, refer to the new association for the advancement of economic entomology, which was organized at Toronto a year ago, and which held its first meeting at Washington last November. This meeting, under the Presidency of Dr. Riley, was a valuable one; and that society promises much for the science of entomology, as well as for its economic development. It is also a matter of much interest that a new paper—*Insect News* is started at that great centre of entomology—Philadelphia—which will also do much every way for our science. This, with the very excellent periodical *Insect Life*, published by the Entomological Division of the Department of Agriculture, can but give new impetus to entomological research. In addition to these, we have an addition to Prof. Comstock's admirable work, which when completed will form a most valuable adjunct in the development of entomology. If we may judge from what we already have, this will be invaluable in every entomological laboratory. When the Society of Economic Entomologists was organized a year ago it was remarked by one of our first entomologists that that move sounded the death-knell of this Club. I then remarked that such ought not to be the case. That Society is to be composed only of those interested in economic entomology, and of course will only put emphasis in the direction of the practical aspects of the science; this more or less of entomologists in a wider sense, and so will include those interested in practical entomology and also in

the science without relation to utility. The Club then may well continue. I believe it will live and thrive, and will be most helpful to entomologists and to our science. While the other Association will discuss economic questions, this Club will place no limit on either its discussions or its membership, only so far as entomology shall be its aim and purpose. No one doubts but that he who has a thorough training in the science of entomology will be far better prepared for practical work, and so there can be only the most cordial relations between the Association of Economic Entomologists and this Club. Indeed, many of our most active entomologists will be members of both. I have already stated the truism that only can he do the best practical work in entomology who is thoroughly well grounded in the general science of entomology. As we now have a great call for entomologists in our experimental stations, agricultural colleges, and as State entomologists, not to speak of the fact that every farmer and fruit-grower would be more successful if he were well-informed in this science, it goes without saying, that there ought to be in training men for just such work. It seems to me that it needs no argument to show that our agricultural colleges are just the places where this training should be given. They were founded to teach those subjects which would be most serviceable on the farm. Entomology is one of the chief of these. Thus it follows that every student of agriculture should have a thorough course in this science, with the practical aspect of the subject kept in the foreground. In thus presenting this science to large classes—I have from thirty to forty each year who study this subject in the course—the teacher will find some in each class who are specially fitted to succeed. They enjoy the study and work most earnestly just for the love of the pursuit. They have quick observation, and are very accurate and honest in all their work. It needs no prophet to bespeak success in this field for such students. Our agricultural colleges are just the places to discover the men who have great possibilities in this direction; just the places to give the training that shall best fit men to do the most valuable work. It will be my purpose in the remainder of this address to describe the equipment for such work, and to explain the method which I believe will give the best results. Of first importance is a good library; this should contain all the standard works, periodicals and monographs, so that students who may decide to study any insect or genus, may find what has been written on the subject. Of course this cannot be had at once, but it is so essential that no effort should be spared to build up a complete entomological library at the earliest possible moment. *True* the scientist should study *things*, not books, but he will find a wide use of books most helpful in his study. Next to a library, such colleges should have good collections, which are often of more value than the library. A small show collection, illustrating the families and orders, and the several stages of the most injurious species of the place as well as the groups of beneficial ones should be open to the public. This will be studied and appreciated by the practical farmer, who, as he visits the college, will find it helpful, and will also interest and stimulate the under-class men, who will thus have their attention called towards insects before they commence the regular study, which will not occur till they are well along in the course. Drawing, botany, microscopy, and French and German, if thoroughly understood, will be great aids to the student who commences the study of entomology. Thus this study will come late in the course and the show collection will be whetting the appetite of the under-class men from the time they enter college until they commence the study. I would also have what I call a student collection—this is a pretty full collection from the locality of the college. This I would hang upon the wall of the lecture room, which I would have dark, except when in use, so as to preserve the colour of the specimens. I would have this in rather small cases,

with glass in front and also back where it is desirable, as in case of Diurnals, to study both under and upper sides of the wings. This collection should show at least types of each group in all stages, from egg to imago, as well as nests, cocoons, etc. This is an object lesson ever before the student, is ever ready for use by the teacher to illustrate his lecture, and is at the disposal of the students in naming their own collections or in closer study of any group. It seems to me such a collection should be in every college. Lastly, I would have a laboratory collection which should be a biological collection, and the fuller the better. This is in large, tight, glass-faced drawers. I use the Harvard case. This is for the use of teachers and post-graduates who desire to study further in the science. It is too valuable for general use by the student or to be kept to satisfy general curiosity.

As I have before remarked, before the student commences the study of insects he should have had a good course in free-hand drawing, should have had instruction in the use of the microscope and in preparing microscopic specimens and slides, and if he has a ready use of German and French it will be very helpful to him in his study. It is also desirable that the student should have had a full course in botany. The students of our college have had three terms of botany, one devoted entirely to microscopic botany, before they begin the study of entomology. I consider this very valuable preparatory work. Entomology is very close precise work, and the laboratory work if carried on for a less space than three hours at a time is not satsfactory. But three hours of such close work is very wearying unless the student has had a fitting preparation. Thus I am pleased that our students have had *vertebrate dissection* with human and comparative anatomy and physiology before they commence entomology. I know this seems the reverse of the natural method; as nature proceeds from lower to higher; vertebrate dissection is lighter and less trying to eye and brain than is the study of insect anatomy; thus I am pleased to have Anatomy and Physiology of Vertebrates precede that of the Arthropoda in our course. In our college the student attends a course of sixty lectures on the anatomy and physiology of insects, systematic entomology and the economic bearing of the subject. These lectures are illustrated by use of models, the student's collection of insects, already referred to, by microsocopic preparations, mostly prepared at the College, and elaborate charts and drawings also prepared specially for our use. In connection with this course there are 36 hours of laboratory. Each student works three hours one day each week for twelve weeks. In this time they are able to study the internal anatomy, and to examine carefully and accurately one insect of each order. In connection with this several insects are traced to the genus by such keys as Leconte and Horn, Cresson, Williston, etc. Besides the above, each student makes a collection of from ten to twenty-five insects of each order, all neatly put up with date and locality label; each order by itself and all labelled as far as time will permit. Many students succeed in naming a large number of their specimens. Each student is also required to mount insects in all the approved ways. Small insects mounted on triangular pieces of cardboard or rectangles of cork with silver wires, while the larvæ are put in bottles of alcohol with rubber corks and also prepared by eviscerating and drying, while distended with air, in a heated oven. The students are also encouraged to prepare biological collections, in which they preserve the eggs, larvæ after each moult, pupa, cocoon, imago of both sexes and of various sizes and the several variations. Some of our most enthusiastic students work out several such life histories, describing not only the separate stages but the several parasites that work to destroy the insects. I regard this work as very valuable. It is excellent discipline for the mind and observation, gives accurate information of the most interesting kind, and arouses

enthusiasm for the study as nothing else can. It is such work as this that will tell for the future of entomological research, that will make entomologists, who will honour alike the fields of pure and applied entomology. But such study ought not and will not stop here. Post-graduates will avail themselves of the opportunities which such laboratories offer. Last winter during our long vacation—ours is an agricultural college and our vacations must needs occur in winter, when farm operations are largely at a standstill—I had ten special students of entomology in my laboratory, one from South Dakota, one from Indiana, one from Ohio, one from Japan, one from Wisconsin, and the others from our own State. Nearly all were college graduates. Six special students, all graduates from colleges, have spent the year in my laboratory in special entomological study as post-graduate students. It seems to me that such are the young men who are going to develop the entomology of our country. They are the young men who can and will do grand work in our colleges and experimental stations. These young men each take up some special family or genus of insects, to which they give the major part of their time and study. They collect in all orders and give special attention to biological work, tracing the life histories of insects, identifying as far as possible the insects they capture and trying to become familiar with entomological literature, so far as they are able. The students are mutually helpful to each other. As the laboratory may be said to be a sort of perpetual Natural History, or more accurately Entomological Society, thus the students become familiar with the general laboratory work, in fact, they each become a factor in some degree in carrying the work forward. Here I will close by explaining briefly the mode of our labaratory work, which differs in some degree from the admirable plan which Prof. Forbes explained at the Washington meeting of Economic Entomologists last November. Our labels give in compact space locality, date, accession and species number. The accession number agrees with a number—serial number—in our accession catalogue for the special year. Thus, ac. 400 shows that the insect or insects bearing that label were the 400th collected during that season. The sp. number is given as the insect is determined, and is the number of the insect in the catalogue which we use. Thus, sp. 25 is "Cicindela purpurea," as the beetle is numbered 25 in Henshaw's catalogue of Coleoptera. In case the catalogue is not numbered, as is the case with Cresson's list of Hymenoptera, then we number it. We have a column in our accession catalogue for date, collector, person who named the specimen, and also for remarks.

This last column is wide, and in it we can usually write all necessary information which we received in the collecting. If we are experimenting with or studying the insect, our notes are kept on cards. These are numbered to agree with accession catalogue, and are kept in serial order until we know the species when we add the species number as well. We now index the card and place it in its correct alphabetical position in our card collections. Thus we can very easily find our notes on any specimen, either by accession number or by the name of the species. This plan works well, and, it seems to me, is very economical in respect to time. Of course our students all see this scheme and become familiar with its workings.

HESSIAN FLY, WHEAT-STEM MAGGOT AND OSCINIS.

Mr. J. Fletcher presented some notes upon injuries caused by the Hessian Fly, the Wheat-stem Maggot and an undetermined species of Oscinis. He said that the note was presented with the object of eliciting further information upon a subject which had proved of great interest to him. During the past season he had endeavoured to determine the number of broods of the Hessian Fly for the

Ottawa district, and had found, first, that the Hessian Fly, the Wheat-stem Maggot and Oscinis were all found at the same time and in the same plant, and further, that, speaking generally, they passed through their stages contemporaneously. Of the three the last had proved much the most destructive. From root shoots of wheat sown on the 14th of April he had bred Hessian Fly and Oscinis at the end of June, and a month later Meromyza had appeared. He had also noticed in some fields at Ottawa that a large quantity of spring wheat was attacked by Hessian fly in the ground shoots or stools in the same manner as fall wheat is attacked in the autumn. It was frequently the case that on plants which had made from fifteen to twenty stools but one would be left, all the others having been destroyed by the insects. He had procured adult Hessian Flies at Ottawa during this season in the beginning of May, at the end of June, and in August, and they would probably appear again in September. He had not been able to find the Hessian Fly breeding in any of the grasses, and would like to know if others had done so. Meromyza and the Oscinis had been most troublesome pests in the experimental grass patches at Ottawa, some grasses being almost exterminated by them. It was remarkable that the spring appearance of Meromyza had been so enormous as to have caused fear of a serious destruction of the wheat crop. As a matter of fact, however, there had been less injury, both to small grains and grasses, than for many years previously. This diminution he could only explain by the supposition that the eggs had been destroyed by some predaceous insect. The eggs must have been laid in large numbers, but there was very little evidence of the presence of the larvæ, either in the standing wheat or barley, or in the root-shoots of barley. The Oscinis he had been unable to identify; but, through the kindness of Mr. John Marten, of Illinois, he had learnt of some work which had been done by Prof. Garman in Kentucky, upon what was probably the same species. This, Mr. Marten said, had been doubtfully identified by Dr. Williston as *O. variabilis*.

Prof. Garman stated that he had studied what appeared to be the same species, and had prepared an article for publication. He also gave some notes upon the life history and anatomy of the insect.

Prof. Osborn had taken at Ames, Iowa, numerous specimens of Oscinis, one of which closely resembled that exhibited by Mr. Fletcher.

Prof. Alwood had studied in Ohio an Oscinis infesting oats, and had published his results in Bulletin 13, Division of Entomology. He had found the eggs, from two to eleven in number, were forced beneath the sheath of the leaf, and that just prior to pupation the larvæ gnawed through the epidermis and the pupa protruded so as to admit of the easy escape of the adult.

Mr. Fletcher, referring again to Meromyza, stated that in many instances he had found the eggs deposited in the field upon the upper surface of the leaf some distance from the stem, and asked if others had observed this to be the case elsewhere

Prof. Garman had found that the eggs were laid just above the sheath, or sometimes pushed beneath it.

Prof. Webster stated that the eggs of the Hessian Fly, had, in the spring of the present year, throughout Southern and Central Indiana, been deposited near the roots, the "flax-seeds" being found in that portion of the plant; while in the northern part of the State the case had evidently been different, as the "flax-seeds" were there almost invariably located about the second joint.

The Secretary read a paper by Mr. Edward L. Graef, of New York, upon the American Silk Worm Moths or Spinners, in which a serious attack upon the

shade trees of New York by *P. cecropia* was recorded, and the suggestion made that this and other species might be turned to account, if any means could be devised for manufacturing and utilizing their silk. As a stimulus to this industry, Mr. Graef generously offered a prize of fifty dollars for the best essay and model of apparatus for carrying this suggestion into effect.

SECOND DAY'S SESSIONS.

The Club met on Thursday at 8 a.m. Dr. C. M. Weed read an interesting paper upon the clover-stem borer, *Languria mozardi*. Fifteen species of plants were reported upon which the larva had been found feeding. This paper was discussed by Profs. Cook, Alwood, Osborn and others.

Prof. Alwood spoke of tobacco insects, of which he was making a special study. He had observed a stem borer which was very injurious.

Dr. Weed had learned of a tobacco root-louse in Southern Ohio.

Prof. Garman spoke of the mouth parts of several species of some families of Thysanoptera, and stated that some recent studies had shown him that the figures published did not agree with his material. He then read the following paper, entitled "An Asymmetry of the Head and Mouth Parts of Thysanoptera."

In a brief paper in the Bulletin of the Essex Institute I have recently called attention to peculiarities in the structure of the head and mouth parts which set this group quite apart from other orders of Hexapoda. [This has no reference to affinities upon which, I believe, we are not prepared to pronounce until this and several other groups have been more completely studied.] In that paper it was claimed that the endocranium of the species examined was not symmetrical, being deficient on the right side; that the labrum was one-sided; that there was a developed mandible on the left side, with, at most, a rudiment on the right; and that the mandibles of authors were probably lobes of the maxillæ.

At the time the paper was written I had not examined sufficient material to enable me to say whether the features pointed out were limited to certain species or were common to all members of the group. Since then many additional forms have been examined, all, however, belonging to the families Stenopteridæ and Coleoptratidæ, and in no case has there been found a departure in essentials from the structure of the head and mouth parts as they were described in the paper referred to. It is probably safe to assume, therefore, that the asymmetry noted is characteristic of these two families at least.

Of the group Tubulifera no representatives have been studied, I shall not be surprised, since this is the lowest of the suborders, if examples of Phlæothrips are found to be more nearly symmetrical.

As an interesting fact, though in no way related to the main purpose of this communication, I may mention that the solitary mandible of Limothrips and Melanothrips is perforate, like the jaws of larval Chrysopa, of Dytiscidæ, and of Myrmeleon. In specimens of Coleoptratidæ examined, both labial and maxillary palpi are composed of three segments.

Note.—Since my return to Lexington from the meeting of the American Association I have secured a couple of very young Phlæothrips. My examination of these is not completed, but I have succeeded in demonstrating the single jaw on the left side. The parts are greatly elongated, and remind one of the same organs in Hemiptera. The styliform parts are especially long, extending, when

retracted, into the cranial cavity towards the eye, thence bending posteriorly and extending along the posterior wall of the head to the mouth opening. Both mandible and styliform parts are perforate (or possibly grooved).

Two unmistakable tarsal claws are present in this genus. From their relation of position to the pads the latter would seem to be modified pulvilli.

Prof. Osborn was much pleased with what Prof. Garman had stated. He had also observed some of the points mentioned in a special study which he had made of these insects, and hoped Prof. Garman would publish his results as soon as possible.

Dr. Weed presented a short paper on the oviposition of *Listronotus latiusculus*. The eggs are laid in clusters of from five to ten upon the leaf stalks of *Sagittaria variabilis*, and are covered with small pieces of the epidermis which are nibbled off by the adult beetle. This was discussed by Messrs. Garman, Fletcher and Webster.

Mr. Charles Robertson, of Carlinville, Ill., read a most interesting note upon the habits of the bee *Emphor bombiliformis*, which was originally described by Creason as a *Melissodes*, but Paton, in revising the genus, raised it to *Emphor*. This bee, it was stated, confines itself almost exclusively to *Hibiscus*, chiefly *H. lasiocarpus*. The appearance and habits of the bee were described. It was stated that in collecting these bees it is important to catch those flying around the plant without alighting, as these were generally the males, whilst those visiting the flowers for honey and pollen were the females. On August 5th, when walking along a dam with water on one side, he had noticed a female standing upon the water; she then flew to a bank, and he observed that she was carrying water to facilitate the excavation of hard ground, into which she was burrowing to build her nest. Sometimes one pellet of earth would be taken out after such an application of water, but at others three or even four. An interesting discussion followed which was participated in by Messrs. Osborn, Cook, Weed, Fletcher and others.

Prof. Osborn read the following note "On a Peculiar Form of Coleopterous larva": Eleven years ago, while a student in college, I found a peculiar form of larva boring in the twigs of ash trees, and it was described at the time in the students' journal at the college (The Aurora, May, 1879, page 5.) under the caption "A Grub With Legs on its Back." The description is as follows: "The specimen was found boring in the pith of a small twig on an ash tree near the road west of the college, apparently beginning at or near the tip of the twig and working downward. Numerous twigs were found that had been inhabited in this way, but only one specimen of the borer was found—this about a quarter of an inch long, quite slim, and nearly white. Its great peculiarity consists in the disposition of its locomotive apparatus. The first three segments following the head are provided with the usual pair of legs, each in the normal position—that is, on the ventral surface. The following six segments are provided each with a pair of pro-legs, similar to those found on many caterpillars, but, strange to say, these are arranged upon the *dorsal surface*, exactly the opposite of the usual arrangement, while the number six is different from either the caterpillars, where there are four or five, or the saw-fly *larvæ*, which have eight. The remaining three segments have no propellers whatever. The beauty of this arrangement, for the conditions of the borer, can at once be seen, for it has as much foot-hold above as below. Placed upon a flat surface it could make no advancement, but wriggled awkwardly about, evidently seeking its double foot-hold. Placed between two thin plates of glass, it moved rapidly, using all its legs, and going with equal

facility backward or forward, either side up. If provided with some support at one side it was possible for it to travel by means of the legs on its dorsal surface alone."

During the present season an example of a similar larva has come to my notice, specimens being first observed by Prof. L. H. Pammel, occurring in the stems of *Helianthus*. Their possessing similar locomotive organs upon the back called to mind the peculiar larvæ noticed years ago. They differ, however, somewhat in colour as well as in the plant on which they occur, and I find that they attacked voraciously dipterous larvæ that were living in the same stems. Whether they are normally carnivorous remains of course to be determined, but there can be no question of their attacks upon these larvæ, and apparently with the intention of obtaining food from them. These specimens are of a light bluish colour, possessing pro-legs upon segments 4-9, inclusive, and a pair of tubercles on the ventral portion of the anal segment, as well as a dorsal tubercle on the terminal portion of the same segment. In general appearance there is a striking resemblance to the *Langaria* larva, as shown in figure exhibited by Dr. Weed, but in his drawing there is no indication of the dorsal feet.

The Club convened at 5 p.m., and considered the following resolution :—

Resolved, That it is the sense of the Club that the meetings of the Association of Economic Entomologists and of the Entomological Club would both be benefited by holding such meetings, if possible, at the same time and place as the meetings of the American Association for the Advancement of Science.

After discussion by Messrs. Fletcher, Osborn, Cook, Alwood, Weed and others, the resolution was unanimously adopted.

The Secretary read a paper by Prof. D. S. Kellicott, of Columbus, O., upon the "Preparatory Stages of *Eustrotia caduca*." He had collected the larvæ upon *Nuphar advena* at Rives Junction, Michigan, in 1876. From these he had bred a moth, afterwards named by Mr. Grote *E. caduca* in the *Canadian Entomologist*, Vol. 8, p. 207. During July of the present year he had again collected the insect at Corunna, Michigan, and had succeeded in breeding and describing all the stages, which were submitted herewith.

The larvæ found in 1876 were feeding in the fruit but those studied during this summer were found upon the leaves. If these latter were floating, the larvæ were exposed on the upper surface, in other cases they were beneath or concealed in folds. A different habit of swimming to that of *Arzama obliquata*, which progresses by horizontal undulations, was noted. *E. caduca* swims strongly, but by an entirely different motion. The posterior third of the body is bent downwards like the tail of a crayfish and then quickly pushed backwards, thus driving the insect ahead by jerks.

Discussed by Messrs. Weed, Webster and others.

Prof. Cook reported having bred *Agrotis C-nigrum* through all its stages upon black currant, the eggs having been laid in a cluster upon leaves of that plant on 1st June—the perfect insect appearing on the 1st of August.

Prof. H. Osborn read a note on the "Period of Development in *Mallophaga*." The habits of the species of *Mallophaga* render accurate observations upon the time required in development of the eggs a matter of considerable difficulty. While in some of the species upon very common birds it is possible to get an abundance of material, in other cases the opportunities for obtaining such material are very rare. But in the most common species the difficulty of determining the exact time of deposition of eggs, and then of keeping individuals in such conditions as to insure a normal development, makes positive observations difficult. This being the case, any observations which may add to our knowledge of the subject seem of interest, and the present note is offered as one such contribution.

The species chosen in the present case is the *Nitzschia pulicare*, which is almost invariably to be found in abundance on the common chimney swift (*Chætura pelasgia.*) This bird is an abundant resident of the building in which my laboratory is located, and being readily obtained on account of its tendency to fly in at the windows, I suggested to Mr. P. H. Rolfs, a graduate student in biology, that he attempt the rearing of larvæ from eggs with a view to determine length of developmental period in connection with studies of its embryology.

For this first purpose he secured on two separate occasions a number of the eggs, and kept them, part in a tight paste-board box, which was kept warm by the heat of his body, the others were enclosed in cotton-plugged tubes under a hen that was kept in the laboratory at the time for incubating eggs for embryological work. Of the first lot, all kept in pocket, secured July 27th, two eggs hatched August 4th, five between August 8-13th, one August 16th, the last giving twenty days, the longest period.

Of the second lot secured, August 3rd, six hatched between the 8th and 13th, four hatched August 14th (three in box and one in tube), two August 15th (one in box and one in tube), part not hatching, and the longest period in this case being thirteen days.

Assuming that those requiring the longest time had been deposited but a short time before the experiment began, we should have from fifteen to twenty days as the ordinary time required for the eggs to hatch for this species.

Mr. F. S. Earle presented some interesting notes upon the injurious insects of the season in Southern Mississippi. *Diabrotica 12-punctata* was a very abundant insect, and in addition to its well known food plants, it had been a serious pest to peach trees and cabbages. Leaves of the latter, bitten by the insect, at once decayed from the point of injury. Cut-worms were very destructive in gardens, and cucumber and melon vines were much injured by a plant-louse. Potatoes had been much attacked by a black flea-beetle, and the tomatoes by the boll-worm in the fruit, and on the leaves by the sphinx larvæ.

Prof. Cook would like to hear the experience of those present as to a practical remedy for the attack of the boll-worm upon the fruit of tomatoes.

Prof. Osborn said that Mr. Tracy had tried arsenical mixtures with some success, and also had attracted the perfect insects to light.

SOME EXPERIENCES IN REARING INSECTS.

Miss M. E. Murtfeldt read the following paper:

In rearing insects, as with many other enterprises in life, we climb the ladder to success by the rounds of successive failures, having in many cases to exhaust an almost infinite range of "how *not* to do it," before arriving at its happy converse.

Many and great are the disappointments of the entomologist; but does he succumb? Never! What single point in the biology of a species has been relegated to the absolutely undiscoverable? I do not know of one, no matter how obscure the subject or how little advance has yet been made in the direction of its elucidation.

"Hope springs eternal" in the breast of the entomologist, and patience and perseverance have in him their "perfect work," until Nature relents, or is caught "off guard," and the secret, so carefully hidden, is revealed.

I am tempted to enumerate some of the discouraging circumstances encountered by the biologist in this field.

Among the *Lepidoptera*, a majority of the *Bombycidæ*, *Geometridæ* and *Noctuidæ* adapt themselves readily to the conditions of the rearing cage. They accept the food provided and make the best of it, even after it has become a little dry, which must sometimes occur when the caretaker is pressed for time. They thrive in the closer and darker air, and take such exercise as they require within their narrow walls of glass and wire-cloth, and when the metamorphic impulse comes, they contentedly weave their cocoons in the corners of their prison, or bury themseves in the two or three inches of cemeterial earth in the bottom of the cage, and safely pass those mysterious transformations which give to this class of beings their pre-eminent interest.

But there is a great deal of individuality, or rather, specificality, in insects, and not infrequently specimens of larvæ are found for which the collector taxes his ingenuity in vain to provide. Not the freshest of leaves, the cleanest swept earth or the most well-aired of cages will seem to promote their development. They wander about the cage with an exhausting activity that pathetically suggests a realisation of their imprisoned condition. They nibble languidly at their food, and aimlessly spin mats of web in inconvenient places, over the cracks of the door or cover, for instance, and, before long, comes the morning, when they are discovered dead and discolored in the bottom of the cage, *and no more of them to be obtained until another season*. Or perhaps the cocoons are spun or the transformation to pupæ safely effected under ground, and the entomologist has full confidence that in due time he will obtain the much desired imago, and, when it may be expected, watches hourly for its emergence, and is rewarded by the appearance of an *Ophion* or a swarm of *Tachina* flies, or of some still smaller enemy, whose existence he did not even suspect.

Again, the collector may be obliged to delegate his cares temporarily to another, who, unused to the almost constant supervision necessary, suffers the precious larva to starve, or, by an oversight, tosses it out with the withered leaves, or crushes it in the hinges of the door, or, still more aggravating, thoughtlessly raises the cover and allows some long looked for imagine to dart out and escape through an open window. All that he will remember for the benefit of the person chiefly concerned, will be that it was a moth and "seemed something peculiar." As the entomologist cannot afford a separate cage for each species, and as he had probably put his choice unknown in with some well known forms of which he wishes simply to increase his duplicates, he probably grasps at the hope that the escaped insect was one of the latter, and so defers the full realization of his loss until weeks and months have passed and all his expected species have emerged, and then he hopes for better success another year, and finds "life well worth living" for this and similar reasons, which only an ardent naturalist can appreciate.

In some respects too much care is as subversive of success as too little. For instance, the very natural curiosity which the student feels to examine into the state of the insect after it has been buried for a short time in the earth. So he sifts the soil in his cage; and though he handles it with all caution, the frail earthen cell in which the treasure is enclosed falls in pieces, and the poor caterpillar in complete helplessness squirms in the loosened earth. Despairingly he tries with clumsy fingers to re-inclose it in the fragments of its cell, or attempts to form a substitute by packing the earth so that it may not be smothered. In vain. In ninety-nine cases in a hundred he never sees the imago.

While the hardy pupæ of most noctuids will bear any amount of handling, and by their activity will beat hard the earth about them at any time, a few

species absolutely resent the least disturbance. I think that for seven or eight successive years Dr. Riley and I tried in vain to obtain the imago of a beautiful larva found every autumn in greater or less numbers on *Gnaphalium*, and occasionally on the Asters and some other *Compositæ*. Not being able to associate it with its species we designated it the "pretty cut-worm." It was Dr. Riley's practice to have the earth in his cages sifted occasionally during late autumn and winter to see how the pupæ were faring, and to have each species collected into its particular corner or side of the cage, which was designated by the label on the door.

But in the case of this particular species this orderliness was fatal. After Dr. Riley went to Washington, I resolved on the "let alone" policy. I put the larvæ into a cage with clean earth with an admixture of sand which I dampened slightly and only at considerable intervals during the winter, kept the cage in a very cool place, and the next summer was rewarded with several fine specimens of *Mamestra legitima*, my only disappointment being that it was a species by no means uncommon.

With me *Scopelosoma sidus* behaved in an almost equally capricious manner, but was, after many trials, finally reared by adopting the same methods as with *legitima*. I now make it a practice to sift or change the earth in my cages only in the spring and autumn before the hibernating pupæ are formed. Of course, if I wish to note pupal characteristics, I have to run the risk of the disturbance, but this is only occasional. I have found that frequent dampening when the cages are kept in doors, is also detrimental, and that hibernating larvæ and pupæ are far less likely to suffer from drought than from dampness.

In rearing the Micro-lepidoptera—in which I have an especial interest—various tactics must be pursued, and the imagination is often vainly taxed to suggest a provision which the delayed changes and general unrest of the insect plainly call for.

Under natural conditions it is very difficult to keep track of these small creatures. The leaves or flowers or fruits on which they may be found feeding on one day will be deserted by the next, and during the darkness they will have betaken themselves to parts unknown, the most assiduous search failing to discover them. In the rearing jar some species adapt themselves very kindly; others will crawl about for days spinning threads of silk over sides and cover and finally dry up without effecting their transformations.

An accident to which the student is liable, and against which he can with difficulty make provision, is to have the larva, which he has perhaps just described and figured, escape. How often have I taken up a bottle in which I had been rearing a particularly precious unknown, and found a tiny hole in the muslin cover, or perhaps a little flap cut at the edge of the bottle, telling only too surely of the loss and delay which a further examination verified. The annual brooded species which appear in the spring are the *bêtes noir* of the Micro-lepidopterist, especially such species as pupate on or just beneath the surface of the ground. They have to be cared for during the long, hot summer, as well as the autumn and winter, and to keep the safe middle course between the Scylla and Charybdis of drought and of the dampness which would promote the equally fatal mould, requires most careful attention. The annual brooded species which later fold or mine the leaves, or feed in the fruit capsules of various plants, or bore the stems, are comparatively easily reared, with a few exceptions. It was a number of years before I succeeded in obtaining the moth from an interesting larva which fed in the capsules of *Pentstemon*. This was owing to the peculiar change of habit during hibernation. After eating all the seeds from

both divisions of the capsule, it would thoroughly line one all with silk, after cutting an aperture for escape, and ensconce itself, as might reasonably be supposed, for its winter's sleep. But no; the neatly lined cell was only a temporary abode, which, during the inclemency of mid-winter, was to be deserted for an entirely different one. Where, in the state of nature, I have not yet been able to discover. In my rearing jars it perished, year after year, to my inexpressible disappointment, until finally I wintered a number out of doors in a small wire cloth box closed with a cork. From this collection I at last obtained the moth—a beautiful *Conchylis*—from a larva that had bored into and transformed within the cork. But for two or three years I had only the single specimen, and next to the aggravation of utter failure I rank the possession of an unknown unique. It may be new, and if sent to a specialist he will generally feel somewhat aggrieved if you reserve the right of description and further impose upon him the duty of returning the specimen. Then there is the danger of its destruction, either in the mail or express, to be braved, and yet, so long as one does not know the species, or be assured that it is new, one never can take full satisfaction in having bred it.

Last year I had the satisfaction of obtaining nearly a dozen imagines of the *Conchylis* in question by providing a number of bits of pith and cork in which the larvæ bored after their desertion of the capsules where they had fed.

Whenever I can make satisfactory arrangements for keeping track of them, I winter my Micro-larvæ and pupæ out of doors. Such species as bore the pith of stems are very easily cared for, and leaf miners and webbers I enclose on the surface of the ground, in some sheltered situation, under wire sieves or covers, bringing them in in the spring in order to have the little moths emerge where they can more easily be chloroformed or transferred to the cyanide bottle.

I must confess that I have never had signal success in rearing such species of the *Tenthredinidæ* as transform under ground. I have in mind more than half a dozen species—the larvæ of which are most interesting—of which I have so far failed to obtain the imagines, in spite of my utmost care.

The eaf and root-feeding beetles have always developed satisfactorily for me, but the *Cerambycidæ*, which feed on growing wood, have given me much trouble, and, in many cases, failed me utterly.

Orthoptera require but little care, as also do leaf-feeding *Hemiptera*, but the Cannibal species of both these orders are more difficult to cater to, and often refuse a diet that one would think would be irresistible. This is especially true of the carnivorous bugs which I have found require large space and ample provision to preserve them from fraternal rapacity.

With the aquatic orders I have had but little opportunity for experiment, but think they must furnish many very interesting subjects.

I believe that costly insectaries are being constructed by many entomologists, and no doubt will afford room for much thorough study of forms and habits. But such costly appliances are not absolutely necessary, and sometimes make observations more difficult than when the conveniences are more primitive.

A secure enclosure, fresh food, fresh air and clean water in the bottles are almost the only requisites in rearing the herbivorous species, and the more constantly the cage or jar is under observation the more thoroughly of course are the history and habits of the species revealed to us. When I wish to know all about a species, I keep the cage or jar on one corner of my desk and watch its occupant in the intervals of other work.

I cannot hope that I have conveyed much information in these notes to those who have gone over the same ground, but I am at least sure that I have recounted some of the experiences of every biological student of insect life, and can sympathise in his disappointments and appreciate the satisfaction of his successes.

THIRD DAY'S SESSION.

The Club met on Friday at 8.30 a.m. Dr. Weed presented a short paper on the habits of *Lixus concavus*.

As reported in the bulletin of the Ohio Experimental Station, Mr. Alwood had found this insect injuring the stems of rhubarb. During the past summer he had bred it from all parts of the stem of the common curled dock.

Prof. Alwood stated that he had observed the larvæ of *Gortyna nitela* eating those of *Lixus*.

Dr. Weed read a paper upon the habits of *Psephenus Lecontei*.

Prof. Webster and Mr. Fletcher also spoke on the habits of this beetle.

Prof. Hargitt read a note upon a large foliaceous gall which destroyed the tips of the stems of various species of *Solidago* at Bloomington, Indiana. In many instances as many as ninety-nine per cent. of the flower stems had been destroyed.

Prof. Hargitt read a note upon the Canker Worm. He said: "My attention was drawn to an orchard near Oxford, Ohio, which, for three or four years, had been seriously affected by this pest. In May, 1890, I went to examine the orchard and found it thoroughly over-run by the larvæ, many of the trees being actually dead, and several others in a very weak condition. The orchard, viewed at a distance, had the appearance of having been burned, the leaves being brown and dead. The trees were most attacked upon the outer rows, particularly those adjoining a wood. I recommended spraying with one of the arsenites, but it was too late for the present season. I observed several small birds in the orchard actually engaged in feeding upon the larvæ, amongst them the cedar bird, blue bird, summer warbler, chipping sparrow and field sparrow."

Prof. Hargitt also read a note upon *Cermatia forceps*. He had found that this Myriapod had become abundant in houses and the college building at Oxford, Ohio, during the past two or three years. He had experienced the same difficulty in keeping the insects alive in captivity, as was mentioned by Dr. Lintner in his 4th Report. He had succeeded in keeping them for several days and inducing them to take prey by keeping them in dark quarters in a tin canister during the day. When so confined they had fed freely upon house-flies, and other insects supplied them.

Prof. Webster spoke of the predaceous habits of *C. forceps*, and its special fondness for the Croton-bug (*Ectobia germanica*).

Mr. Fletcher had observed the insect when visiting Mr. Howard at Washington, D. C., who had described to him its remarkable habit of capturing the Croton-bug by springing over it and thus encaging it beneath its many curved legs. He was of the opinion that those who had failed to keep this insect in captivity had done so from omitting to supply a sufficiency of moisture, and thought that Mr. Hargitt's success in the instance mentioned, where the insect was put in a tin can, was more due to this cause than to the darkness. *Myriapods* are general found in damp, dark places.

ELECTION OF OFFICERS.

The Club proceeded to elect officers for the ensuing year. Prof. Cook, the retiring President, congratulated the members upon the harmony which had existed throughout the sessions, and was glad to find that, although some old and pessimistic members of the Club had predicted that it had run its course and would soon flicker out like a spent candle, he was glad to find that the present meetings had not only been the best attended for many years, but that the discussions and papers had been equally interesting to those of any meeting which he had had the pleasure of taking part in. He wished the Club every success and trusted that it would grow stronger and stronger every year. The following officers were elected :—

President, Prof. Herbert Osborn, Ames, Iowa.

Vice-President, Miss Mary E. Murtfeldt, St. Louis, Mo.

Secretary, Dr. C. M. Weed, Columbus, Ohio.

CONTAGIOUS DISEASES OF INSECTS.

Prof. Osborn, at the invitation of the President, introduced the subject of the use of contagious diseases in combating injurious insects. He said that he had already published a paper in the Transactions of the Eastern Iowa Horticultural Society for 1886, pp. 400-405, upon the subject ; but that it was of such importance that he desired to hear it discussed by the members of the Club. He first mentioned the well-known fungus and bacterial diseases which attack insects, as Muscadine, Grassen or Jaundice, Pebrine, Flacherie or Flaccidity, Foul-brood of Bees, Fly and Grasshopper Fungus, and the White-grub Fungus, and called attention to the fact that we were already able to control those which affect important domestic species, as Silkworms and Bees, and that to some extent at least we are able to control those available as agents in destroying injurious species. After considering the various conditions limiting the applicability of this means, he drew the following conclusions :—

(1) That there are diseases amply sufficient as a basis for economic work, the bacterial forms giving the most promise for all cases where early results are desired, while those due to fungi, so far as present knowledge goes, propagating slowly, can only be used as slow but efficient checks to injurious forms, the most that we can do with them being to introduce them in localities where they are not already found.

(2) That the diseases can be controlled to the extent of preserving the germs for a season and transporting them from place to place to use for inoculation, but that their spread in nature will be affected by conditions beyond control, while only such insects as occur gregariously, or live in mingled hosts, can be attacked to advantage.

(3) That the cost of application would prevent its adoption except in certain forms.

(4) That we must oonsider this method of contending with insects at best as but one of a number of profitable methods to be used in certain cases where other methods are insufficient, and to supplement other methods when it can be done to advantage. With this end in view, the diseases of insects are worthy of the most careful study, and will not, he thought, disappoint the investigator in their final results.

Mr. Fletcher thought that the chief difficulty with regard to these fungus diseases was their cultivation so that they might be available at the time when needed. One trouble with him had been carrying them over the winter.

Prof. Hargitt spoke of a fungus disease which had attacked the canker worm.

Prof. Cook thought the greatest difficulty in making use of contagious diseases for the destruction of insects was the fact that the insects which it was desired to treat were not always in a susceptible condition.

Prof. Garman thought that although fungus diseases were difficult to introduce, bacterial diseases would probably be more controllable.

The meeting adjourned till 5 o'clock.

VARIOUS INSECTS.

Prof. Atkinson spoke on the "Injurious Insects of Alabama." A bud worm had been extremely injurious to young corn, piercing the central shoot and destroying its growth. *Diabrotica 12-punctata* had also been injurious in the same manner; and, if there were not sufficient food in the stem, the larvæ descended to the roots and tunnelled out irregular channels on the surface. They pupated in the ground. A new attack had been observed on the "Irish potato," viz., by the Cabbage Plusia, which had attacked the leaves. The same insect had been very injurious to cabbages. In the southern part of the State more had been done by the Plusia than by the cabbage worm. At Mobile farmers had complained that 50 per cent. of their melons had been injured by a worm. *Scolytus rugulosus* had been very abundant at Auburn in the spring, attacking trunks which appeared to be perfectly sound. Onions had been badly injured by a species of Thrips. Another species had also been injurious to cotton plants.

Prof. Cook stated that he had also seen a Thrips injuring onions in Michigan.

Prof. Webster stated that he had studied *Scolytus rugulosus* and had found that it invariably attacked trees which were injured. In a single instance, where the beetles had commenced operations on a sound tree, he found that they afterwards left it.

Prof. Cook made some remarks upon the effect of mild winters upon insect presence. He had found cut-worms and saw-flies very abundant in Michigan during the present season. He had also bred a new borer from the black currant, *i.e.*, the small longicorn beetle *Hyperplatys maculatus*. He had also found that the larvæ of *Aegeria typaliformis* had been largely destroyed by a fungus growth like that of the white grub. The leaves of cherry, pear and quince had been badly attacked by the larvæ of saw-flies, but they had been easily kept in check by applications of road dust.

Dr. C. M. Weed presented a paper upon the "Oviposition of *Dectes spinosus* upon *Ambrosia trifida*." He also gave some account of the insect, in all its stages, from specimens which he had bred.

During the meeting a most interesting set of photographs was exhibited by Prof. Webster, showing a likeness of Thomas Say, his birthplace, the house where he lived during the greater part of the time he was writing his works, his tomb and an autograph. Prof. Webster had a few sets of the photographs struck off when his own were printed and is willing to let entomologists have them at the actual cost of production.

AMERICAN ASSOCIATION OF ECONOMIC ENTOMOLOGISTS.

The second annual meeting of the Association was held at Champaign, Illinois, in room 6 of the University of Illinois, beginning November 11th. The following officers and members were present during the meeting:

President, C. V. Riley, Washington; 1st Vice-president, S. A. Forbes, Illinois; 2nd Vice-president, A. J. Cook, Michigan; Secretary, John B. Smith, New Jersey. J. M. Aldrich, S. Dakota; W. B. Alwood, Virginia; G. F. Atkinson, Alabama; M. H. Beckwith, Delaware; James Fletcher, Ottawa, Canada; Lawrence Bruner, Nebraska; H. Garman, Kentucky; C. P. Gillette, Iowa; F. W. Goding, Illinois; C. A. Hart, Illinois; F. L. Harvey, Maine; L. O. Howard, Washington; John Marten, Illinois; Herbert Osborn, Iowa; F. H. Snow, Kansas; H. E. Summers, Tennessee; Roland Thaxter, Connecticut; F. M. Webster, Indiana; Clarence M. Weed, Ohio; C. W. Woodworth, Arkansas; E. F. Goff, Wisconsin.

Several others interested in entomology, not members of the Association, also attended the meeting, giving an average attendance of about 20 at every meeting.

The secretary read his report and submitted some letters for action by the Association.

On the motion of Prof. Cook it was decided that an assessment of 25c. should be made from each member attending the meeting to defray the necessary expenses.

The committee on co-operation (Profs. Riley, Cook, Forbes, Comstock and Lintner) reported progress and was continued.

The requisites of membership were discussed and Drs. A. S. Packard, D. S. Kellicott and Messrs. J. M. Aldrich, E. V. Wilcox, C. A. Hart and A D. Hopkins were placed on the list of active members. Mr. E. W. Doran was elected an associate member,

The constitution was amended by striking out the provision allowing special meetings to be called at the request of members.

SECOND DAY'S SESSION.

On November 12th 29 members were present, including some ladies, and the Hon. Edwin Willits assistant secretary of agriculture for the United States. The president, Prof. Riley, delivered his annual address on "The Outlook in Applied Entomology." This address was a masterly effort and was intently listened to by all who had the good fortune to hear it. It will be published in full in the pages of Insect Life.

Mr. James Fletcher, of Ottawa, spoke in high terms of the paper. He said: "You have drawn our attention to the fact, Mr. President, that this is the most remarkable meeting of economic entomologists which has ever met together, and I feel sure, sir, that everyone present will agree with me that your address is one of the most remarkable we have ever had the privilege of listening to. You have covered so much ground and spoken upon so many subjects on which we know you to be the highest authority, not only from the exceptional advantages you possess from your official position, but also from the experience you have gained from earnest and close attention for a quarter of a century to this special subject which we have gathered together to-day to discuss, that if we heard nothing else we should be well repaid for the trouble of attending this meeting. This great knowledge makes you *facile princeps* the most eminent living economic entomologist—a title to which, on account of the work you have done in developing the science of practical entomology, no one will dispute your claim. The present meeting

being a joint one of the Association of Economic Entomologists and of the Entomological Committee of the U. S. Experiment Stations leads me to make these remarks, because probably the question which is most engaging the attention of many of us at the present time is whether any good purpose will be served by maintaining both of these organizations. We know that the Committee of the Experiment Stations must meet if the directors of stations order it; but I feel confident that the necessarily limited number of entomologists in that committee, even if every station eventually employs such an officer, cannot do such good work for the science and give them equal opportunities, to those offered by an organization of the nature of the Association of Economic Entomologists, which will include many eminent men who are excluded from active membership by the rules of the committee. I refer to such men as Prof. Riley and his assistants, Dr. Packard, Mr. French, Dr. Lintner, and hosts of other economic entomologists in the United States as well as the Canadian entomologists and many others who would be pleased to join in various parts of the world. I submit to the meeting that there is room for good work from both of these organizations and that it would be extremely ill-advised to let either of them drop to the ground for each should be of the greatest assistance to the other. I believe, too, that to no one can the Association be of more use than to the Experiment Station Entomologists, and therefore they should make every effort to sustain an association at the meetings of which they must always have greater freedom than they can have in the committee, where the proceedings will always be subject to a certain degree of restraint, both as to the time allowed for discussion and the subjects brought forward. The Entomological Committee is specially a meeting of the Entomologists of the Experiment Stations and any one else will always, to a certain extent, feel himself an outsider no matter how cordially the hand of friendship may be extended to him. The president has stated that he does not care where the work is done so that it is carried on vigorously. This is probably the case, and the gentlemen I have mentioned have very little to learn from the meeting compared with the advantages which will accrue to us from having such men present at the meetings. I cannot help thinking that we shall make a serious mistake if we allow an organization to drop which will ensure us their sympathy, attendance and services and will at the same time form a bond of union between the economic entomologists of the whole world.

The address was also highly complimented by Prof. Cook, who spoke of the advantage of co-operation between the Association and the Committee of the Experiment Stations. He suggested some ways in which these two organizations could be mutually beneficial.

Prof. John B. Smith thought there was no necessity to have two bodies composed of nearly the same members meeting on the same days and at the same place and covering the same ground. He strongly advocated an effort being made to gain from the Association of Agricultural Colleges the same advantages for the entomological committee as were at present offered by the Association of economic entomologists. This, he thought, would be of advantage to station workers, at least, as it would give them a recognized place in the official body of Agricultural Colleges and Experiment Stations.

Dr. C. M. Weed thought that there was some misunderstanding as to the status of some of the gentlemen who had been mentioned. The Canadian Experiment Station was represented in the main body and its officers have the same rights and standing in committees as have those of the other stations. The Department of Agriculture is equally represented both in the main body and in the committees.

In reply to Prof. Smith, Mr. Fletcher said that there was no intention of always having the meetings of the Association of Economic Entomologists at the same time and place as the Committee of the Association of Agricultural Experiment Stations. The place of meeting would be decided annually. As to covering the same ground, if the Association of Economic Entomologists continued to exist, it would draw into its membership entomologists from all parts of the world while the committee could only contain the entomologists employed at the various experiment stations. In answer to Dr. Weed he was sure that others than experiment station entomologists would always feel themselves to a large extent outsiders.

Prof. A. J. Cook of Michigan, read a paper on "Work of the Entomologists in Experiment Stations," in which he gave his ideas of the manner in which bulletins should be prepared and detailed his own method of reaching the agricultural public.

There was an interesting discussion on these subjects participated in by Messrs. Woodworth, Harvey, Weed, Smith and Aldrich. Dr. Weed spoke of the plan of furnishing articles to the manufacturers of the plates known as "patent insides," which get a large circulation in rural papers.

Prof. Smith thought the best way to reach farmers was attending and delivering addresses at farmers' institute meetings.

There was considerable discussion as to the advisability of using old and well known information in bulletins. It was, however, generally conceded that this was necessary so as to make the bulletins of the greatest use to agriculturists. Frequently well known insects appear in destructive numbers and it is necessary to give their complete life history.

Prof. J. B. Smith spoke on "Fertilizers as Insecticides," giving his experience with Kainit, and muriate of potash. He spoke highly of their use against cutworms and species of aphides which worked beneath the surface of the ground.

Prof. Riley gave some of his experience with ashes and other materials containing potash. Mr. L. O. Howard read a valuable and extremely interesting paper on "The Habits of Pachyneuron," which demonstrated the good work which is being done by the entomologists of the Division of Entomology at Washington, The question of breeding these and other hymenopterous parasites was discussed by Messrs. Howard and Harvey. In answer to questions from Messrs. Harvey, Fletcher, Cook and Summers, Mr. Howard gave instructions as to the best method of rearing, mailing and mounting specimens.

Mr. Smith read some notes on the Plum Curculio in which he gave the results of some observations upon eggs laid in apples. He found that the larvæ came to maturity only in such fruit as fell from the tree. He was therefore of the opinion that it was necessary for it to be in a state of partial decay. He had found the characteristic injury and larvæ of the curculio in the young fruit of *Amelanchier Canadensis*. He pointed out the importance of collecting and destroying all fallen fruit.

This subject was spoken on by Messrs. Beckwith, Harvey, Gillette, Woodworth, Cook and Fletcher. Prof. Smith gave also "an experience with the Rosebug," giving an account of serious injury by this insect in Southern New Jersey during the past season. All remedies tried had proved of no avail on account of the enormous numbers of the beetles. He had used pyrethrum, copper fungicides, kerosene emulsion, tobacco, whitewash. The greatest measure of success had followed the use of a "slodge soap." He believed the only remedy for grapes was to bag the bunches.

Messrs. Howard and Alwood made remarks on this subject and the meeting adjourned.

THIRD DAY'S SESSION.

On November 13, there was a morning meeting of the association; 21 persons present. The president announced that the first business of the meeting would be the election of officers for the ensuing year. The following were elected: President, Mr. James Fletcher, Dominion Entomologist of Canada; 1st Vice-president, Prof. F. H. Snow, Kansas; 2nd Vice-president, Prof. Herbert Osborn, Iowa; Secretary, Mr. L. O. Howard, Washington, D.C.

The advisability of all members of the association sending their bulletins to other members was brought up and there was a unanimous expression that this should be done. This will not only be a means of apprising each of what others are doing, but will act as a bond of union amongst the members of the association.

It was decided after some discussion to hold the next meeting of the association at Washington, D.C., beginning just before the meeting of the American Association for the Advancement of Science.

The constitution was amended by striking out the word "official" in the title, and an amendment was submitted abolishing the distinction between official and non-official members as to rights and privileges.

Prof. Smith read a paper entitled "Some questions relating to Aphides." Great stress was laid upon the value of the poriferous system of the antennæ of the winged forms in distinguishing species. Only by these characters could the adults of *Aphis mali* and *A. maidis* be separated. The poriferous system of a wingless viviparous female of any species was always like that of the larval form —from this Prof. Smith considered that the process known as "gemmation" was a case of true reproduction by larvæ.

The matter was discussed by Messrs. Webster, Howard and Osborn who agreed with this pretty generally accepted theory.

Prof. C. P. Gillette read a paper—"Notes on the Plum Curculio and Plum Gouger," in which he detailed his observations relative to the egg-laying habits of the two insects. Mr. Lawrence Bruner spoke on "beet-root insects." The increased area under sugar-beet in the State of Nebraska had rendered a study of the insects attacking this crop a necessity. He gave a list of all the species he had found attacking the plant.

Mr. Fletcher asked if any practical remedy had been devised for the Anthomyian fly which mined in the leaves of beets and mangolds.

None of those present had had any experience with the insect in injurious numbers.

Mr. Howard asked whether the European pest of the beet-root (*Silpha Opaca*) had been observed by Mr. Bruner or any one else as occurring in America.

Mr. Bruner had not noticed it.

Mr. Fletcher expressed interest in the life-history of the Collops beetles and asked if anything was known concerning them. He had only taken them when sweeping grasses. Prof. Smith had taken them on Solidago.

Mr. Smith related his observations on "an invasion by the Clover-leaf Beetle." This had appeared in great numbers in New Jersey during the summer but was entirely exterminated by a fungous disease.

Mr. Howard mentioned a similar attack in Pennsylvania where the insect had developed a fondness for timothy (*Phleum pratense*.) Specimens were sent to Washington and caged over this grass, upon which they were observed to feed.

Mr. Woodworth mentioned that he had observed in Arkansas three epidemics amongst insects which were so severe as apparently to exterminate the infested species: one of these was the tomato worm.

Mr. Fletcher asked whether *Phytonomus nigrirostris* had been observed as injurious to clover. He had frequently found the larvæ feeding on the heads of clover as well as the characteristic cocoons. He had found it in many parts of Canada, but upon one occasion, as recorded in his report for 1884, it was injuriously abundant at Dalhousie in New Brunswick. Mr. Gillette also spoke on insects injurious to clover.

Prof. Smith gave an account of some experiments with preservative fluids. He had found a mixture of equal parts of acetic acid and alcohol very satisfactory both in regard to preserving form and colour of delicate insects.

The subject was earnestly discussed by all present as being a subject of much importance. Mr. Woodworth gave as a method which he had found satisfactory for larvæ, to kill in water heated to 90° centigrade: leave from 1 to 5 minutes; then put in alcohol 35° 1 to 2 hours, 50 from 6 to 8 hours, 75° for 24 hours or more and then to absolute alcohol. This would usually preserve perfectly and was a recognized process for hardening and preserving for histological purposes.

Mr. Fletcher asked whether in the case of large larvæ it was necessary to puncture the epidermis so as to allow the preservative fluid to penetrate.

Mr. Woodworth answered that this was not often necessary.

Mr. Fletcher spoke of a large series of the larvæ of *Sphinx chersis* which he had taken during the past summer upon various species of *Fraxinus*. They varied so remarkably in colour that he was able to separate about 40 which showed different markings from the usual glaucous green to a rich vinous purple with yellow epidermal dots. He had placed them in a jar of 35° alcohol and had found that those at the top were very much discoloured and that those lower down were less so, those at the bottom being of good colour. On placing some in stronger alcohol the discoloration was intensified. He thought the discoloration was due to the gradual decay of the central portions of large larvæ, but could not understand why those at the bottom were less discoloured than those at the top of the jar.

Prof. Forbes stated that he used the method described by Mr. Woodworth in his laboratory and found it fairly successful. It does not preserve greens well, but browns are preserved and the markings are well shown.

Mr. John Marten said that hot alcohol was a convenient way of preserving specimens by this method and that it answered equally well as killing in hot water.

Prof. Forbes read a "Summary history of the corn plant louse.' This was an intensely interesting paper and gave the results of continued observations for some years by Prof. Forbes and his assistants. It gave the life-history both above and below the ground. The relations existing between the aphis and the ants which were always found in company with it were explained and suggestions for remedies based on these observations were made.

The discussion on the paper was postponed until the next session.

At the afternoon session 18 persons were present. The president called for discussioa of Prof. Forbes's paper. Messrs. Howard, Riley, Fletcher and Forbes discussed the points brought forward and the difficulties of getting at accurate and final results were brought out. The question of possible relationship between the apple plant louse and the corn plant louse was discussed by Messrs. Riley and Forbes.

Mr. Howard asked whether Prof. Forbes considered his experiments with the apple plant louse were satisfactory.

Prof. Forbes thought not entirely but they were the best they could do under the circumstances.

Mr. Fletcher asked whether the habits of different broods in species which migrated from one plant to another were not very different and therefore difficult to experiment with—as, for instance would the hop inhabiting form of *Phorodon humuli* live upon plum if placed there artificially and *vice versa*.

Prof. Riley thought it would not. It is very difficult to do artificially what nature does in her own time and in her own way. Sometimes an insect will not colonize upon a plant at a certain season, to which at another time of the year it migrates naturally. He asked if the experiments made upon the root forms were done carefully as there are many species which resemble each other which have root forms.

Prof. Forbes stated that great care had been taken in carrying out the experiments.

Prof. Forbes read a paper "On the life-history of White-grubs, with descriptions of new stages" Current mistakes with regard to the life-histories of these injurious insects were pointed out. Several species of Lachnosterna were observed to reach the imago state in the autumn instead of in spring as usua lly stated and the differences between groups of larvæ were pointed out.

The paper was discussed by Messrs. Smith, Howard, Forbes and Riley, who confirmed many of the points made in the paper.

Mr. C. A. Hart read a carefully prepared paper on "The life-history of Wire-worms," in which he drew particular attention to distinguishing characters by which these larvæ might be divided into groups.

The paper was discussed by Messrs. Cook, Gillette and Cruher.

Prof. Cook had found that one crop of buckwheat will not prevent injury the next year.

Mr. Fletcher gave some "Notes upon Injurious Insects of the year in Canada." Cut-worms of various kinds had been locally abundant. *Agrotis turris* had been destructive in gardens to flowers and vegetables. *Hadena arctica* and *H. devastatrix* had injured fall wheat and grasses in the spring. He was more than ever in favour of the poisoned trap remedy for cut-worms. *Agrotis fennica* had injured clover. The caterpillar of *Pieris rapæ* had been very troublesome, but was easily destroyed with pyrethrum powder diluted with four times its quantity of common flour or slaked lime.

Plutella cruciferarum had also done much harm to cabbages in the North-west Territories and British Columbia. This is much more difficult to destroy with pyrethrum than the last named. The Cabbage Root-maggot had attacked cabbages severely, but had been successfully destroyed by syringing about half a cupful of hellebore tea round each root and then hoeing the soil well up round the stem. He had made some interesting studies of the Hessian fly which agreed in the main with those published by Prof. Forbes in a late bulletin. Spring wheat sown in the end of April had been attacked at the root in the same way as wheat is injured by the autumn brood. From the same wheat plants he had bred the Hessian fly, the Wheat Bulb-worm and *Oscinis variabilis*. Insects injurious to fruit trees had been represented by the Plum Curculio, the Codling Moth, the leaf roller of the apple and the Canker worm. All of these had been successfully treated with Paris green. Observa-

tions on forest insects had shown him that the large cerambycid larvæ from eggs laid early in the season produced the perfect insects the next year; but those laid late passed two years before coming to maturity. He had taken a female of *Monohammus confusor* with the abdomen filled with eggs as late as the middle of September. The attacks of *Nematus erichsonii* on larches in the Provinces of Quebec and New Brunswick were described.

Prof. Webster asked whether *Agrotis fennica* had been observed feeding on cereals.

Mr. Fletcher had found that it fed primarily on clover, but when occurring in numbers is almost omnivorous. Asparagus beds, raspberries and strawberries were injured and some young forest trees grown in nursery rows and of various species had had the terminal buds destroyed.

Prof. Cook had found the larvæ to eat everything. It had attacked blue grass and timothy severely. He was not positive about its attacking grain but believed it would.

Prof. Smith, speaking of the best way to use pyrethrum powder, said that he had found it most satisfactory in water.

Mr. Beckwith had found it could be used most satisfactorily with lime.

Mr. Fletcher asked whether the dry powder was not as a rule better than the water mixture. He had found it so in his experience.

Prof. Cook and Prof. Gillette had found it so also.

Prof. Summers found that the difficulty with water mixtures was to make them adhere to the plant: he asked whether the addition of soap would make them stick better.

Mr. Fletcher said it would on such plants as threw off liquids by reason of a waxy secretion on the leaves, as the cabbage, etc., etc.

Prof. Cook asked whether Mr. Fletcher still made up his cut-worm traps in bundles. He had found it most satisfactory to put a supply of poisoned vegetation on a platform waggon and then pitch it off with a fork.

Mr. Fletcher answered that he did and not only that but he found that it paid for the extra trouble to cover the bundles with shingles which kept them from drying up so soon. He warned those who advised this remedy to mention that the cut-worms do not lie under them in sight, but burrow beneath the soil and are not seen unless looked for. They sometimes wander off to a distance of two or three feet.

Prof. Cook confirmed this. He used clover largely. He sometimes sprayed a patch with poison as it stood and then mowed it and used it as traps.

Mr. Fletcher had found that clover was not the most satisfactory plant for him at Ottawa. It is frequently not far enough advanced in the early spring when needed and did not hold the poison well. He always recommended any succulent plant and was careful to tell farmers that they could use almost any weed growing about their fence corners. He had found *Lepidium Virginicum*, pepper grass, a very attractive plant. *Chenopodium album*, lamb's quarters, is also greedily eaten by cut-worms; but it is difficult to make the poison adhere to it. For such plants it is necessary either to dust them with dry powder after damping them or to rub up some soap in the water.

Prof. Cook had found mullein to be a most attractive plant for cut-worms.

The meeting adjourned to meet again next year at Washington.

KITCHEN-GARDEN PESTS AND HOW TO DEAL WITH THEM.

BY THE REV. THOMAS W. FYLES, SOUTH QUEBEC.

In writing on insect pests I have not hoped to tell of any new discoveries. My object has been to present in a concise form, for the use of husbandmen and housewives, such particulars as I have thought might be interesting and useful to them. I have wished to do my part towards the making of the annual reports of the Entomological Society of Ontario handy repertories of practical information.

I shall in this paper tell of kitchen-garden pests, grouping them as flies, lice, beetles, butterflies and moths.

Flies (*Order*, Diptera).

The Radish Fly (*Anthomyia raphani*. Harris).—This fly appears in the end of June and the beginning of July. It is rather less than half an inch in expanse of wings. Its colour is ash grey. The wings are transparent with a yellowish tinge at the base. The halteres or balancers are yellow. The face is silvery. The eyes are copper-coloured. The insect lays its eggs on the stems of the radish near the ground. The newly-hatched maggots penetrate the swelling roots, enlarging their mines as they grow and filling them with *frass*, rendering the radishes quite unfit for food. When full grown the maggots leave the root and change to pupæ in the soil. The full grown maggot is about a quarter of an inch long, truncated at the end and gradually tapering to a point at the head. This is furnished with a pair of black nippers. At the truncated end of the creature may be seen the outer prolongations of the two main tracheæ, and round the edge of it a number of teeth or tentaculæ. The general colour of the maggot is shining white.

I have found that radishes sown on rich soil as soon as the frost is out of the ground—at Quebec, as soon as the snow disappears, that is to say in the beginning of May—will generally attain a growth of an inch and a quarter in diameter before they begin to show the operations of the maggot. I have this year made three sowings. The first, in May, was a success. Of the second, made early in June, about half of the radishes were fit for the table. Of the third, made in the end of the month, hardly any were eatable. They grew to a large size, but were bored through and through by the maggots. These were operating as late as October. On the 21st of November I had a number of roots dug up from under the snow. They contained no maggots, but showed recent traces of them and holes at the lower side where the creatures had made their exit into the soil.

The remedies that have been suggested against the radish fly have been such as by their foul smell are likely to drive the fly away, carbolic acid, gas-lime, etc. I have not much faith in such protectives. It seems to me that those who would raise late radishes must do so in frames covered, not with glass, but with fine netting fastened to slats.

The Onion Fly (*Phorbia cepavum*, Meigen.—This fly (Fig. 11) also appears in June. It is ash-coloured and is set sparsely with black

hairs. It has an interrupted dorsal stripe on the abdomen. The wings are clear. It measures half an inch in expanse of wings, and a quarter of an inch in length of body. The mother fly lays her white oval eggs on the edge of the sheath of the onion, near the ground, seldom depositing more than six on one plant. The eggs hatch in a few days, and the maggots, which in general appearance resemble those of the radish fly, work their way downward, inside the sheath, to the bulb. Having devoured one bulb they will pass on to another. They may often be found clustered on the outside of the bulb. It takes them a fortnight to attain their growth, and in another fortnight the perfect flies appear. While the onions are yet very young soot and wood-ashes should be scattered over the bed as a preventive, and where the maggots are really working hot water should be applied to the bulbs with a watering can. This will destroy the maggots without injuring the plants.

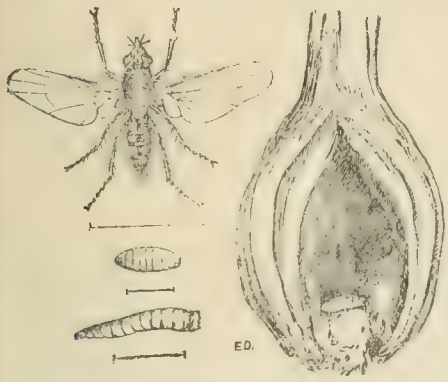

Fig. 11.

For a more full account of this pest see Dr. Bethune's excellent article on "*Remedies for Noxious Insects*," in the Society's 19th annual report.

The Cabbage Fly (*Anthomyia brassicæ*, Bouché).—The cabbage fly is ash-grey. The male has three black longitudinal lines on the thorax, a black dorsal line on the abdomen, and black bands at the edges of the segments. In the female the lines on the thorax and the bands on the abdomen are wanting.

The female fly lays her eggs at the junction of the lowest leaves with the stem. The larvæ eat the rootlets and penetrate the main root and the stock. The plant speedily withers away. In wet seasons especially the insects are often very destructive.

It has been recommended as a preventive that, at the time of planting, the roots and stems of the cabbage plants should be dipped in weak lye of ashes. As a remedy Dr. Lintner tells us (1st Annual Report of Injurious and other Insects of the State of New York. p. 190), "Watering the plants with lime-water has been found to be of service in killing the larvæ."

The Root Fly (*Anthomyia radicum*, Linn).—The male of the root fly has the thorax on the upper side, marked with three black longitudinal stripes and three grey ones. The abdomen has a black dorsal line and is crossed with black lines at the sutures. The female is lighter in colour and much resembles *A. brassicæ*, but it has three fuscous longitudinal lines on the thorax. She lays her eggs in the crown of the turnip or other root. These hatching, the ochre-coloured maggots work down into the bulb. When full grown they leave the bulb and pupate in the earth. The flies appear in the spring.

The use of superphosphate as a manure will preserve the turnips from the attacks of the fly.

The Beet-Leaf Miner (*Chortophila betarum*, Lintner).—This is a small fly, expanding four-tenths of an inch only. The body colour is grey. The thorax has three dusky stripes. The wings have a brownish tinge; and the legs are black. It appears in June, and lays its beautifully reticulated eggs on the under

surface of the leaves. The larvæ work in the leaf, between the upper skin and the lower, consuming the parenchyma. They are, when full grown, a quarter of an inch long, translucent in appearance, pointed at the head, which is furnished with black nippers, and truncated at the other extremity. To pupate they leave the plant and enter the soil. The pupa-case (puparium) is chestnut brown. From it the fly escapes in about twenty days. (See Dr. Lintner's 1st Annual Report on the Insects of New York State.)

The method of dealing with this insect is plainly to break off the affected leaves and to crush them under foot, or throw them into boiling water.

Lice (*Order*, Hemiptera).

The Bean Louse (*Aphis fabæ?*).—A few years ago I found on some Mazagan beans that I was growing in my garden at Cowansville, a cluster of plant lice. They were lead-coloured and rather large. I had read of the marvellous increase of the Aphis, and I resolved to let these specimens on my beans live out their life and have their own way. The consequence was, that in a few weeks the whole row of beans—and it was a long one—was blackened with Aphides. This was quite in accordance with Reaumur's statement that one aphis can produce about 90 young ones, and that in five generations the increase from the one will amount to 594,000,000. As the season went on great numbers of the larvæ of one or two species of Lady-birds (Coccinellidæ) appeared on the scene and worked great havoc amongst the hosts of the enemy.

In dealing with a pest such as this, watchfulness and promptitude are required. The first clusters of the aphis should be picked off and destroyed.

The Cabbage Louse (*Aphis brassicæ*, Linnæus).—This insect is often very abundant. It is found on the under side of cabbage leaves, and has a whitish, mealy appearance.

Dusting lightly with flour of brimstone has been recommended as a remedy for it.

Beetles (*Order*, Coleoptera).

The Colorado Potato-Beetle (*Doryphora decem-lineata*, Say).—This, the well-known Potato-Beetle (Fig. 12) needs no description. Under its normal con-

Fig. 12.

ditions, on the slopes of the Rocky Mountains, it fed upon the wild potato, *Solanum rostratum*. Access to the cultivated plant gave it that increase of vitality and fecundity which has rendered it so formidable a foe to the gardener.

Of the Solanaceæ, or Nightshade family, to which the potato belongs, there are in North America six genera, not counting the South American genus, Petunia, now so largely cultivated in flower gardens. They are (1) *Solanum*, Nightshade; (2) *Physalis*, Ground Cherry; (3) *Nicandra*, Apple of Peru; (4) *Hyoscyamus*, Henbane; (5) *Datura*, Thorn-apple; (6) *Nicotiana*, Tobacco. The first of these includes the potato, the egg plant, and the tomato, all of which are eaten with avidity by the beetle. When stinted of its favourite supplies, the insect turns to such other members of the family as may grow within its reach. The tobacco plant is attacked by it, and I have found it also upon Physalis and Datura.

It would seem that the forced vitality of the species is now diminishing. There is a narrowing down apparently, 1st, as to the number of broods, 2ndly as to the number of individuals. Professor Claypole, of Akron, Ohio, brought the diminution in the former case, under the notice of the American Association for the Advancement of Science, at the Minneapolis meeting. He said:—"This insect (the potato beetle) came as usual in middle Pennsylvania in the early summer. I was compelled to use poison as in previous years. In the latter portion of the summer I observed, and noted at the time in the *Canadian Entomologist*, that there was no second brood, or that it was so small as to pass unnoticed. It was my intention to watch in 1883 in order to determine if this second brood was again missing; but to my surprise, in 1883 there was almost no first brood."

In the neighbourhood of Quebec, late plowing, by disturbing their hibernacula, has destroyed great numbers of the beetles, and the lingering winter has retarded the appearance of the survivors, so that the first brood of the year has been both late and comparatively weak in numbers. For the last two seasons I have not had occasion to use Paris green on the early potatoes grown in my garden, but later-planted field crops have called for an application of the drug. The decrease in the number of perfect beetles appearing in the fall has been very marked.

The Three-Lined Potato-Beetle (*Lema trilineata*, Olivier).—This is a buff-coloured beetle, (Fig. 13) having three black stripes on the wing covers. Its length is a quarter of an inch. It appears in June, and attacks the potato plants. It lays its yellow eggs in small clusters, and in a fortnight the larvæ appear (Fig 14). They are of a dirty yellowish grey, and are generally seen with a thick coating of excrementa on their backs. This filthy covering is believed to serve for a defence against their insect enemies, and as a protection also from the heat of the sun. In about another fortnight the insects bury themselves in the ground and form cysts in which to undergo their pupal change. In a fortnight more the perfect beetles appear and lay their eggs for a second brood.

Fig 13.

Fig. 14.

Paris green applied in the usual way is the remedy for these pests.

The Cucumber Beetle (*Diabrotica vittata*, Fab.).—The cucumber beetle is about two lines in length. It is yellow, and has a black head, and three black lines running along the wing-covers. The larvæ feed on the roots, and the perfect insects on the tender leaves of the cucumber, melon and squash.

To destroy the larvæ water the plants with soapsuds, and to check the operations of the beetle sprinkle the leaves with hardwood ashes.

The Striped Flea-Beetle (*Haltica striolata*, Illiger).—This minute beetle (Fig. 15) is black, with a buff stripe on each wing cover. It is beautifully formed, highly polished and very lively. It hibernates in the imago state, and comes forth early in spring to lay its eggs, and to enjoy itself at the gardener's expense. Its favourite food plant is the turnip.

Fig 15.

Lime water has been used successfully against its English congener. To disappoint the "flea" *sow late.*

The Ash-Coloured Blister-Beetle (*Macrobasis unicolor*, Kirby).—In the Eastern Townships the Windsor beans and potato vines are often infested with an ash-grey beetle of about three-fifths of an inch in length. The ash colour is owing to a soft down which rubs off leaving the surface black. This beetle is one of the Cantharides, and is as efficacious for medical purposes as the "Spanish Fly." It may be easily shaken into a pan of scalding water, and afterwards dried for medical use.

Butterflies and Moths (*Order*, Lepidoptera).

The Cabbage Butterfly (*Pieris rapæ*, Linnæus).—That destructive pest the cabbage butterfly (Fig. 16 the male, fig. 17 the female) was first taken in Canada by Mr. Wm. Couper of Quebec. This was in 1860. The insect had probably been cast upon the shores of the St. Lawrence in the larval or pupal stage, with refuse cabbages from the steamships. We are indebted to Mr. Scudder for a full and most interesting account of the after progress of the species on this continent. From this account it appears that in 1866 it had spread to Cacouna, where it was taken by Mr. Saunders, to the Eastern Townships, where I captured it myself,

Fig. 16.

Fig. 17.

and into the State of Maine. In 1867 it reached Montreal. In 1868 a fresh importation by way of New York was made. The story runs that a German naturalist in that city obtained chrysalides from Europe, and that the imagos issued from these during his absence, and escaped through an open window. The insects spread in ever widening curves, both from New York and Quebec, till, in 1871, the two hordes met. In 1876 they had spread over the whole of Western Ontario. In 1881 they covered the country from the seaboard to Texas, Kansas, Nebraska, and Lake Superior; and by 1884 they had been met with on the shores of Hudson's Bay and at the foot of the Rocky Mountains.

Pieris rapæ may be readily distinguished from the less common native white (*Pieris oleracea*, Harris) by the black spots upon its wings. The female may be constantly seen in the summer months hovering over the cabbages, curving its abdomen and attaching its eggs dispersedly upon the plants. The larvæ are green irrorated with black. They have the habit of lying along the ribs of the leaves where they are not readily seen.

Dr. Lintner recommends sprinkling with water heated to 130 Fahr. and upwards (1st An. Rep. p. 59).

The Cabbage Plusia (*Plusia brassicæ*, Riley).—This insect has at length invaded the Province of Quebec. It has been taken at Metis by Mr. Winn. Its numbers will probably increase. The fore wings of the moth are brownish grey, and have yellowish, indistinct, transverse lines. In the centre of each fore wing is a silvery, horse-shoe-like mark, with a silvery spot beyond it at the lower side. The hind wings are yellowish, with smoky hind margins. The male moth is furnished with conspicuous abdominal side tufts of a golden hue.

The larva is a half-looper, having only twelve legs. Its head is small and flat, and the body is gradually enlarged from it to the anal segment, which appears as if abruptly sliced off. In colour the caterpillar is translucent pale green, marked with delicate longitudinal white lines, and with white spots. In each of the latter is set a short dark hair.

The pupa is of a pale colour, yellowish or green, and is enclosed in a slight cocoon.

Besides the cabbage, the turnip, lettuce, celery and tomato afford food for this pest.

An application of hot water as recommended in the previous case, is probably the best remedy for the assaults of the insect.

The Cut-Worm Moths.—These are a numerous family, including species belonging to the genera, *Agrotis*, *Mamestra*, *Hadena*, etc. They may be grouped as *climbing* and *surface* cut-worms. It is with the latter I am for my present purpose, more particularly concerned. I shall give a short account of a few representative species of these, and for further particulars would refer the reader to a valuable paper written by the late Mr. G. J. Bowles, which may be found in the Society's Annual Report for 1879.

The Devastating Dart-Moth (*Hadena devastatrix*, Brace).—This moth is one and three-fourths inches in expanse of wings. The fore wings are dark brownish gray, and have several whitish transverse lines. Near the hind margin is a row of arrow-headed black spots pointing towards the base of the wing. The hind wings are light brownish grey. The thorax is dark grey like the fore wings and the abdomen is of the same colour as the hind wings.

The caterpillar, (Fig. 18) known as the "Glassy Cut-Worm," has a translucent glassy-green body, a Venetian-red head, and a dark-brown cervical shield. It has a few scattered spots on each segment—each spot being furnished with a single hair. The caterpillar hibernates in the soil, and, coming out early in the spring, commences its destructive work upon the newly-planted cabbages. It feeds only at night, and lies hid in the soil, near the root of the plant, during the day.

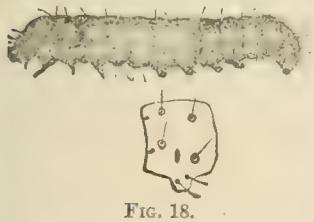

Fig. 18.

The Barred-Arches Moth (*Hadena amica*, Harris).—This beautiful moth expands about two inches. The ground colour of its fore wings is rich Spanish brown. Near the hind margin is a broad, wavy, bluish-grey band, and near the base of the wing is a narrower and darker wavy band. The reniform stigma (kidney-shaped spot in the middle of the wing) is large and distinct. The hind wings are ash-coloured, clouded on the outer margin.

The caterpillar which is called the "Yellow-headed Cut-worm," is of a smoky-brown colour, and the head, cervical shield, and anal plate are yellow, or chestnut-coloured. This creature cuts off the young corn *below* the surface of the ground.

The Lance Rustic Moth (*Agrotis telifera*. Harris). (*Ypsilon*, Rott).—Harris was the first to describe this fine insect, which measures an inch and a half in expanse of wings. (Fig. 19.) The fore wings are brown, dark along the costa and through the middle. Near the hind margin is a light-brown band, and at the base of the wing is a light-brown patch, shaped like the head of a fish with the mouth open. Pointing outwardly from the reniform stigma is a black lance-shaped mark. The hind wings of the moth are pearly white shaded with brown.

Fig. 19.

The caterpillar known as the "Greasy Cut-worm," is dull leaden brown, spotted with shiny black. Its dorsal and side lines are yellowish. The creature is highly destructive to corn, tobacco, tomatoes, etc., cutting the plants an inch *above* the ground.

The Clandestine Owlet Moth (*Agrotis clandestina*, Harris).—In expanse of wings this moth measures an inch and three-quarters. It is a very sober-coloured moth. The fore wings are dark ashen. In them the orbicular and reniform stigmata are connected by a black line. The hind wings are dirty brownish-white, darker towards the hind margin. The fore part of the body is chestnut brown. The moth received its name from its retiring habits and attempts at concealment.

The caterpillar (Fig. 20) is called the "W-marked Cut-worm." It is yellowish grey in colour, lined with yellow, and finely sprinkled with dark spots. On each side of the back, upon the abdominal segments, is a row of black velvety marks. These marks, when viewed from the front, are suggestive of the letter W—hence the common name of the creature.

Fig. 20.

Nothing in the way of vegetables seems to come amiss to this cut-worm: beans, young corn, cabbage, pumpkins, etc., all are eagerly eaten by it. It has the habit of dragging its food under stones or into the ground, that it may feed upon it at leisure.

The methods to be pursued for protecting garden crops from the cut-worms appear to me to be these:—Because the caterpillars pass from plant to plant over the surface of the earth, and will not ascend a friable mound *corn should be "planted in the hill."* Around each newly-planted cabbage a ring of salt should be placed, a few inches from the stem. The larvæ will not pass over this, and the salt will act as a fertilizer. Whenever a plant is found to be nipped off, the cause of the damage should be dug for at the root with a knife or pointed stick, and when found, destroyed. Growing corn, cabbages, cauliflowers, tomatoes, etc., should be earthed up several times during their period of growth.

"The Husbandman's Own Insectide." Take plants of "poison poke," (*Veratrum viride*, Aiton) roots, stems and leaves, cut them into manageable lengths, make a decoction—a sap-kettle will be useful for the purpose—let the liquor cool, and then apply with a sprinkler or water-can. This will be found useful where the application of Paris green would be dangerous.

The gardener has a multitude of insect foes to contend with, but prompt and intelligent applications of preventives and remedies are very sure to be rewarded with success against them.

AN OUTBREAK OF THE ARMY WORM IN MARYLAND.

BY J. ALSTON MOFFAT.

It is seldom that we get an account of a remarkable occurrence in any department of life from a reliable eye-witness so competent to convey to others the facts seen by himself as is to be found in the following extracts taken from the report given by Mr. W. H. Ashmead to the United States Government, through the Entomological Department at Washington.

Fig. 21.

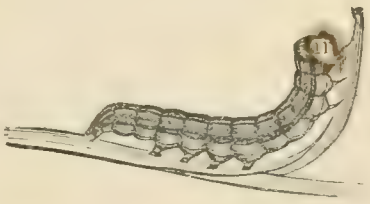

Fig. 22.

Although *Leucania unipuncta* (Fig. 21, the moth; Fig. 22, the caterpillar,) is a permanent resident in Ontario, and is frequently found quite abundant, it has never been reported as attracting special attention from its destructive effects on farm products here; and yet there does not appear to be any reason why it may not at some time do so.

The army worm has caused great loss in the Maritime Provinces, whilst in New York State and Massachusetts, where the climatic conditions must very closely resemble our own, it has been at times particularly destructive, whole fields being utterly ruined by it. Mr. Scudder made a calculation from what he saw, that there must have been at least two million worms to the acre, destroying an entire field in ten or twelve days. Therefore Mr. Ashmead's vivid description of the tremendous power of a combined attack of these despised creatures, should arouse those interested to the terrible possibility that may be awaiting them, and to guard themselves as much as possible against it, for it is a well known fact that slovenly farming is a great source of encouragement to all kinds of pests.

The army worm had a public reputation long before the moth, which gave rise to the destructive hordes, was certainly known to be the parent of all the mischief. It was about the year 1861 that the late Prof. Fitch unmistakably traced the connection between the two, and since then, by the careful industry of others, its life history has been well worked out, but previously many unfortunate moths had to bear the blame for that of which they were not guilty; and even yet the justly dreaded army worm is at times reported to have made its appearance and causes great consternation in a locality, where, if the nature and habits of different insects were better known, it would be readily seen that the army worm, at any rate, was not to blame, and that the fright had been caused, not so much from the attack, as from a want of a knowledge of how to distinguish between things that differ. If this had been possessed there might have been ample evidence to show that there was no cause for alarm, as it was not in the nature of that particular form to do any injury.

On one occasion I had an opportunity of witnessing an occurrence which forcibly illustrates this very condition of things. I had gone on a visit to the country about the end of wheat harvest, when a hot and dry spell was prevailing and all vegetation was, more or less, exhibiting the effects of it, by a rusty tinge

to the green. Amongst the first things that I heard of was that the whole locality was overrun by the army worm, that they had eaten up every green thing and were now devouring the Canada thistles for want of something better, and whatever was to become of the crops next year they did not know. On the first opportunity I made personal observation—sure enough the thistles gave ample evidence that they had been grieviously ill-used, many of them with every leaf gone and nothing but the bare stem left, and caterpillars everywhere. In one locality where the road allowance ran between two farms with snake fences on each side, there was, on the one hand, an old pasture field, very brown and desolate to look at, on the other was a summer fallow, which had in places a luxuriant growth of Canada thistles, and I saw the worms crossing the road, in single and double files, in columns and squares, platoons, companies and battalions of them, and a toilsome march they had of it, especially when crossing the road-bed, which was deep with hot dust, leaving the dried up pasture field and all making direct for the fallow, apparently with a full knowledge of the fact that there was food to be got when they reached it; and I observed that the thistles in the fallow were being visibly reduced day by day. But it turned out that this all devouring host which had been causing such consternation in that locality, was composed entirely of the larvæ of *Pyrameis cardui*, or the thistle butterfly; and no doubt but they had rigidly confined themselves all the time to their own natural and proper diet. In due time they disappeared and nothing was heard of them afterwards.

The following is Mr. Ashmead's account of the outbreak of the army worm above referred to:

In accordance with Professor Riley's instructions, on May 31, accompanied by Mr. Albert I. Hayward, of the Maryland Agricultural College, I started for Salisbury, Wicomico County, and Princess Anne, Somerset County Md., to make such observations on the army worm (*Leucania unipuncta*), then depredating in the vicinity of these places, as the limited time at our disposal should permit.

During our journey we ascertained, in conversation, that the worms were most numerous in the immediate vicinity of Princess Anne, and we took the most direct route for that place.

As we approached our destination we began to see the effects of the worms' work; just before entering the town we passed by a large field of corn, owned by Mr. H. H. Deshields, containing about twelve acres, that had been devastated by them, and only a few green plants could be detected here and there in the field.

This field was in marked contrast with another corn-field adjacent, which had been saved from attacks by ditching, as recommended in the third report of the U. S. Entomological Commission. Another thing observed was that this field was flanked behind with a wood that evidently prevented their ingress that way, whereas the former was contiguous to grass and wheat fields in which the worms are said to originate.

Just before entering the town we passed another ten-acre corn-field, owned by Mr. John L. Lorimer, that but a short time previously presented a most promising appearance, but which to-day is completely "cleaned out" by the worms. It may be worthy of record, as the theory has been advanced that insects originate in just such places, that in an adjoining field were three old hay-stacks. Contrary to our expectations we found the reports of their numbers not at all exaggerated, and the damage done is even worse than we anticipated—the wheat, corn, barley and timothy of many of the farmers being totally ruined by them.

One of the most interesting places for observation we visited was that of Wm. J. Porter, a practical and energetic farmer, who, although he has fought the worms most vigorously, has suffered severely from their attacks. By means of ditching and by burning straw, he has been able to save part of his crops, but several of his fields of corn, timothy and wheat, were already ruined. He reported the worms much less numerous than they had been, but we saw many thousands in his fields.

During our rambles Mr. Porter took us to one of the ditches he had dug to keep the worms out of a large corn-field. In this ditch he had sunk every two or three yards apart, deeper pits, where we found the worms two and three inches deep, and the rest of the ditch was black with the dead and living worms. From the dead a fearful stench arose in such strength as to attract the buzzards, which, as we viewed the scene, were proudly sailing overhead.

Mr. Porter informed us that the worms always originated in the wheat and old grass-fields, and during the morning hid themselves from observation, never appearing in numbers until after 3 o'clock p.m., which accorded with our own observations and with those of the other farmers visited.

They ate up the timothy and corn clean, and after devouring the blades of the wheat congregated, three or four together, on the heads; after devouring several of the lower grains they ate the husks and nipped off the upper portion of the kernel of the rest, thus almost entirely destroying it. If the grain is well advanced and somewhat hard it escapes destruction; but as most of the wheat visited was still in the milk the destruction was great, and not less than 75 per cent. of the crop had been already destroyed.

Although several parasites are known to prey upon the worms, and we kept a sharp lookout for such, none were seen except a few cocoons of an Apanteles which were discovered, together with the worms, under old trash and logs in a wheat-field. A few were gathered and forwarded to the Department, some of which have since hatched, and proved to be *Apanteles militaris*, Walsh.

On a neighboring farm, owned by Mr. Z. Rouch, almost as much damage had been done by the army worm as on the former place. A large corn-field and a field of timothy were totally ruined. A wheat-field, farther advanced than that of Mr. Porter's, was less seriously affected, although it did not escape entirely, the blades of the wheat and the young timothy being entirely eaten up by them.

It was on this place that we saw the effects of the worms on barley. Quite a large field already in head was completely ruined.

In the afternoon we visited probably the largest farm in the county, that of the Hon. D. N. Dennis, comprising 500 acres or more.

No better place existed for the proper study of the pest, as the worms were swarming in all the fields by the millions, and we had hit upon the proper time of day to see them most advantageously, 4 o'clock p.m. The ground was literally black with the crawling worms. Mr. Dennis had made no special efforts to destroy them, although, like some of his neighbours, he had surrounded some of his fields with ditches in an attempt to keep them out of adjoining fields. I believe it would have been quite practicable to have destroyed many thousands with poisonous washes, or, as Mr. Potter did, by burning straw in the ditches, as the bottom of the ditches were black with worms.

This farm is divided by a central lane, on either side of which are fields of wheat, corn, grass, oats, etc., and in passing through this lane we found the worms quite plentiful, crawling almost invariably in the direction of the prevailing wind.

One of the first fields we passed was an immense wheat-field already in the head, and the worms could be plainly discernible on the ground all through it and on the stalks and heads. The worms having already devoured the young timothy and other tender plants usually found growing there, the blades of the wheat, the husks, and a goodly portion of the kernels, evidently could not find sufficient food and were now migrating to pastures new, the sides of the field being black with moving hosts seeking more nutritious food.

These, as well as all the others observed, were moving in a south-westerly direction, the direction of the prevailing wind. They were apparently in all stages of growth, from little fellows not more than a quarter of an inch long to the fully matured larvæ, and all got over the ground and every obstacle in their way with the most surprising rapidity. The fences, posts, and other obstacles in their way were no obstruction to their migratory instinct, or their search for food. The fence rails and posts were often covered with crawling worms, sometimes not less than a dozen worms being found on the top of a single tall post, while others were seen going up on one side as others were going down the opposite. Some specimens were even found under the loose bark on the posts and rails, where they had probably crept for shelter. One specimen thus found was in the jaws of a large hairy spider, *Salticus* sp.

Adjacent to this wheat-field was a large field of timothy, containing 17 acres, the blades of which had been cut off by the worms as clean as cattle could have done. Mr. Jones, the overseer, informed me this field would have harvested not less than three tons of hay to the acre, but now it would not pay for the cutting.

At one side of this field, the side next the wheat, the worms had congregated in countless numbers, every square foot having not less than 30 to 50 worms. The worms were now coming out of this field and going into the adjoining wheat-field and crossing the lane into the opposite fields in great numbers, and it was here that we observed a flock of the common English sparrows and a few robins picking out the smaller worms and feeding on them. Mr. Jones informed us the English sparrows had been thus busily engaged all the past week, and it gives us pleasure to record here this fact in favor of the despised bird.

Some distance off from this field was another one of wheat, containing probably 20 acres, in which the worms were even more numerous, and they had already sufficiently injured it to render the crop unprofitable to harvest. A deep, broad ditch had been dug along one side, and it was now, about 5 o'clock p.m., black with worms. It seemed to us a pity that these worms were not killed, as many of them were able to crawl up the sides and escape into adjoining fields.

Facing this field was a large corn-field of probably 75 acres, of which 50 acres had already been destroyed, and there was but a slight chance that any of the corn still left would escape, although by ditching an effort was being made to save it. Of the 50 acres destroyed 30 acres had already been replanted, and in the newly plowed portion the worms were seen moving about in all directions, having just entered it from the adjoining wheat; it is probable that most of these will die of starvation or from the effects of the hot sun in the middle of the day

TORTOISE BEETLES.

BY F. B. CAULFIELD, MONTREAL.

The tortoise beetles as they are called, from their resemblance in shape to a turtle or tortoise, belong to the great family of leaf-eating coleoptera, the *Chrysomelidæ*, but were formerly classed as a distinct family, the *Cassidadæ*, a term signifying a helmet, the fore part of the thorax generally projecting over the head like the front of a helmet. In the members of this family the body is generally of a broad, oval form, flattened beneath, convex above. The antennæ are short and thickened at the tip, presenting somewhat the appearance of a club. The head is small and generally hidden beneath the overlapping edge of the thorax, and the legs are very short, not extending much beyond the margin of the wing covers, so that the resemblance to a tortoise is really striking. The larvæ of many kinds of insects are protected from the burning sunshine and the attacks of their enemies by a coat of hair or prickly spines, or else conceal themselves beneath leaves or in crevices during the hotter parts of the day, but the insects in question adopt an entirely different plan, and shelter themselves beneath umbrellas, covered, not with silk or cotton, but with a mass of their own excrement.

In most of these creatures the body resembles the perfect insect in shape, being broad and flattened, but they differ in having a row of spines on each side and in being provided with a tail, and a very remarkable tail at that. This instrument resembles in form a fork, with a rather thick, rounded handle, from which project two long prongs. This forked tail is curved over the creature's back, and upon the prongs and lateral spines the excrement is heaped until a mass almost as large as the creature's body is accumulated. Our Canadian species of tortoise beetles belong to three genera—*Physonota*, *Coptocycla* and *Chelymorpha*. *Physonota helianthi*, Rand, lives on the wild sunflower (*Helianthus*), and soon after these have leafed out in spring, such of the beetles as have survived the winter gather upon them. They are now of a bright, golden-green colour, and are exceedingly beautiful, gleaming and flashing like gems in the sunshine. Soon after this the eggs are deposited in an irregular cluster, covered with a gummy exudation which hardens on exposure to the air. This cluster is placed on the upper surface of the leaf, and near the tip just where it tapers to a point.

The larvæ are oblong-oval in shape, and when full grown measure nearly an inch in length. The general colour is dark olive green, and on the back are three short yellow stripes, that in the centre being a little the longest. On each side is a row of ten simple spines. When undisturbed these slug-like larvæ keep the tail curved over the back, and both body and tail are constantly wet with semi-fluid excreta, so that the form of the creature can hardly be seen. From the middle of July to the end of August these larvæ change to chrysalids, and by the end of the latter month and during September the beetles emerge, and may be found resting quietly on the leaves of their food plant. They are now dressed in a coat of sober black, irregularly spotted with creamy white, very pretty little fellows in a neat evening dress, but very different to the magnificent marriage garment worn by their parents amidst the fresh green leaves and glowing sunshine of the early summer.

The beetles appear to eat very little, but the larvæ are hungry creatures, eating numerous holes in the leaves, and when abundant almost stripping the plants.

When young the larvæ are of social habits, and huddle closely together, the heads all in the centre, surrounded by a ring of curled up tails, presenting a most curious appearance. When nearly full grown they separate and scatter over the plants, each one shifting for himself. The perfect insect measures about five-eighths of an inch in length.

The species belonging to the genus *Coptocycla* are smaller than *Physonota*, and differ somewhat in some of their habits. The eggs are deposited singly on the leaves, and when the larvæ moult, the cast skins are slipped into the forked part of the tail, whereas the larvæ of *Pysonota* leave their discarded garments sticking to the leaves.

The golden tortoise beetle, *Coptocycla aurichalcea*, Fab. is very common on the Morning Glory, and often disfigures and injures it by eating holes in the leaves. They also attack the sweet potato. Prof. Riley states that they are often sufficiently numerous to destroy whole fields of this esculent, and they are especially severe on the plants when freshly transplanted from the hotbed. When freshly emerged from chrysalis the beetles are of a dull orange color, but in a few days this tint changes to bright gold color, when they present a most beautiful appearance as they glisten in the sunshine. The larva resembles the beetle in general shape, being broad and flattened, but on each side there is a row of sixteen barbed spines; it is of a dark brown colour, with a pale shade upon the back. Prof. Riley says that it carries its falcifork directly over its back, and the excrement is arranged in a more or less regular trilobed pattern.

The mottled tortoise beetle, *Coptocycla guttata*, Oliv., is also common on, and injurious to, the morning glory and sweet potato. It varies considerably in colour, some specimens being very dark—almost black, others are mottled with black and gold, and occasionally examples are found altogether of the latter colour. The larva is green, bluish on the back. Prof. Riley states that it carries its dung in irregular broad masses, often branching out into long shreds and ramifications.

Another species, the clubbed tortoise beetle, *Coptocycla clavata*, Oliv. is found on the true potato. It is given in the Society's list of Canadian beetles, but so far as known to me, has not been found in the Province of Quebec.

The "shell" of this species is thin and semitransparent, with patches of darker color, some of which extend to the margin of the wing-covers. I have seen no description of the larva.

Chelymorpha argus, Licht., is of a dull, yellowish-red colour, ornamented with nineteen small black spots, six on the thorax and thirteen on the wing-covers. It measures about three-quarters of an inch in length. Packard states that "the larva differs from that of *Coptocycla aurichalcea*, not only in its greater size, but the body is thicker and narrower, the head is freer from the thorax, and the spines are simple, not spinulated. The body is yellow and less protected by the cast skin. When about to transform the larva attaches itself to the leaf by a silken thread, a few segments from the end where the end of the body of the future pupa is situated. It is .45 of an inch long. The pupa is broad and flattened, dark and spotted with yellow, and covered with a whitish powder, causing the yellow portions to appear more prominently; along each side of the abdomen is a row of five spines, and there are four spines on the anterior edge of the prothorax; it is .40 of an inch in length." He further states that he has found it in all its stages on the silk-weed late in July and early in August, and in one instance in Salem it occurred in abundance on the leaves of the raspberry.

I have myself found it in all stages on the morning glory at Montreal some years ago, but have not met with it recently.

Tortoise beetles may be destroyed with Paris green, but as they often hide beneath the leaves, they are not so easily killed as the Colorado potato beetle. The plants should be closely watched when set out in spring, as at this time the beetles are comparatively few in number, and could be killed before the eggs are deposited, which would save much future trouble and expense. "An ounce of prevention is worth a pound of cure."

Tortoise beetles appear to be remarkably free from parasites. I have bred numbers of *Physonota helianthi*, but only raised one parasite, a small dipterous fly.

QUEBEC REPRESENTATIVES OF THE GENUS PLUSIA.

BY THE REV. THOMAS W. FYLES, SOUTH QUEBEC.

Following are the characteristics of the genus Plusia :—

Imago, antennæ setaceous, thorax and abdomen crested, fore-wings acute, curved on the hind margin, glossy, and often ornamented with metallic markings.

Larva, loops somewhat in walking, having twelve legs only; attenuated anteriorly; feeds exposed on low plants.

Pupa, inclosed in a slight cocoon.

Insects belonging to the genus Plusia may be readily distinguished by the conspicuous crest which they bear on the shoulders, the tufted abdomen, and the bill-hook shaped curve of the inner margin of the fore-wings. These are more or less striking in them all. Some of the species are very abundant, individuals of them may be seen in our gardens, even in the hot sunshine, hovering over the blossoms or passing from plant to plant with easy rapid motions.

The largest, and I think the most beautiful of our Quebec species is *P. balluca* (Gey.) Fig. 23, which is one and three-fourths inches in expanse of wings. The splendid bronze-green of its wings, shining with the richest gloss of satin, will make it known to the veriest tyro in Entomology.

Fig. 23.

P. Putnami (Grote) may also be readily distinguished by its burnt-sienna coloured fore-wings with their golden apical streak, and their two central golden spots, sometimes united.

P. thyatiroides (Guen.) is very rare in the Province of Quebec. To those who are fortunate enough to meet with it, it may at once be known by the patches at the base and inner angles of its fore-wings, which are of a delicate pink, resembling in colour those on the wings of the English "peach blossom moth" (*Thyatira batis*). It is to these that the insect owes its name. The only specimen I have was taken at Cowansville in the Eastern Townships.

P. mortuorum (Guen.) also may be readily known. Its fore-wings are dark brown approaching to black. They are embellished with silvery lines and washes near the hind margin. Extending from the base to the centre of the wing are conspicuous plume-like silvery-white markings. This is one of the smallest species in the genus, expanding about one inch and a quarter.

The fore-wings of *P. ampla* (Walk.) are ash-brown with a rosy tinge. Extending from the inner margin to the middle of the wing is a well-defined dark-brown velvety patch, the inner side of which has a deep curve and is finely outlined with gold colour.

In *P. viridisignata* (Grote) the fore-wings are dark rosy-grey with numerous brown zig-zag lines. In the centre of the wing is an obscure bronzy-green figure, resembling a 3 or an 8 laid on its back.

One of the finest insects in the genus is *P. bimaculata* (Steph.). In expanse of wings it measures an inch and three-eighths. Its fore-wings are rich rosy-brown variegated with dark markings and with a patch of chestnut red in the centre. In this patch are two golden spots, the upper somewhat resembling the letter *v*. I have noticed that the Eastern Township's specimens of this moth are larger and brighter than the more northern specimens.

P. precationis (Guen.) is one of the most common species we have. Its fore-wings are of a rich purple brown with a golden sheen. They have a few pale wavy streaks, and a distinct silvery *y* in the middle of each.

In *P. simplex* (Guen.) Fig. 24 the fore-wing is of a dark ash-grey. It has a brown apical dash, and a brown shade on the inner margin. This shade is separated from the ash-grey base and basal portion of the costa, by a fine white line, which joins the inner arm of the silvery y-like central mark.

Fig. 24.

In *P. falcifera* (Kirby) the arms of the *y* are long and attenuated, and the tail lacks the terminal knob that is characteristic of Precationis and Simplex. Falcifera has rosy-brown fore-wings strikingly marked with curved and dentated rosy-white lines, having dark brown finer lines imposed. I captured several specimens of this insect at Como, P. Que. They were hovering over flowers on a sunny afternoon.

P. brassicæ (Riley, *Ni* Hubn) has been taken at Metis, P. Que., by Mr. Winn. This moth Fig. 25 expands about one and a half inches. It has dark greyish-brown fore-wings, with irregular, pale yellow cross lines, and in the centre a silvery *u* or horse-shoe like mark followed by an oval silvery dot. The underwings are yellowish clouded towards the outer edge.

Fig. 25.

Of *P. mappa* (G. & R.) only a few specimens have been taken in the Province of Quebec. The insect may be known by the numerous dark brown wavy lines upon its tawny fore-wings. In the centre of each of these wings is a silvery *u*, or horse-shoe-like mark, followed by a dot or annulet.

P. U-aureum (Boisd.) is a small species expanding one and one-fourth inches. Its fore-wings are dark brown, and bear in the centre a golden or silvery mark resembling a squat capital *V*. On the fore-wings also are several irregular transverse golden or silvery lines.

Besides Bilineata we have two species that have no metallic spots in the middle of the fore-wing. *P. æreata* (Hubner), and *P. æreoides* (Grote). In the former the wings are *dark* brassy-brown and in the latter, *pale* brassy-brown. Both have darker transverse markings. Æreoides has also, near the hind margin, a pale brassy transverse band.

TABLE OF QUEBEC SPECIES OF THE GENUS PLUSIA.

I.—Having white or metallic markings in the middle of the fore-wings.
A. Having y-like markings in the middle of the fore-wings.
a. Having two golden marks as if the tail were cut off from the y.
PUTNAMI, which has a *golden* apical streak.
BIMACULATA, which has a *brown* apical streak.
b. Having the y complete.
1. Tarsi of front legs banded brown and white.
FALCIFERA, which has no knob at the end of the y.
PRECATIONIS, which has the tail of the y knobbed.
2. Tarsi of the front legs plain.
SIMPLEX.
B. Having markings of other forms in the middle of the fore-wings.
a. Like *N.* U-AUREUM.
b. Undulating, like a small snake. AMPLA.
c. Like the figure 3 lying on its back. VIRIDISIGNATA.
d. Plume-like. MORTUORUM.
e. Like a small *v* followed by a dot or annulet.
1. Having pink spots on the wings. THYATIROIDES.
2. Having tawny wings. MAPPA.
3. Having greyish-brown wings. BRASSICÆ.
II.—Having no metallic markings in the middle of the fore-wings.
A. Having the wings glossy-green. BALLUCA.
B. Having the wings glossy-brown.
a. Dark brown. ÆREA.
b. Light-brown. ÆREOIDES.

ORIGIN AND PERPETUATION OF ARCTIC FORMS.

BY J. ALSTON MOFFAT.

The subject of Arctic Forms is one of special interest in biology, and the frequent reference to it in natural history literature, keeps it constantly before the reader, and has made the theories concerning the origin and preservation of such forms well known, whilst to us as entomologists, it is of the very first importance in our efforts to obtain correct knowledge concerning the geographical distribution of insects. Grant Allen says.—

"On or near the summit of Mount Washington, a small community of butterflies belonging to an old glacial and Arctic species still lingers over a small area, where it has held its own for eighty thousand years that have elapsed since the termination of the great ice age. This same butterfly is found in two other localities on this continent; Long's Peak, Colorado, is eighteen hundred miles distant; Hopedale, Labrador, is probably a thousand miles away; in the intervening districts there are no insects of the same species. Hence we must conclude, that a few butterflies left behind in the retreating main-guard of their race, on that one New Hampshire peak, have gone on for thousands and thousands of years, producing eggs, and growing from caterpillars into mature insects, without once affecting a cross with their congeners."

I learn from the writings of Mr. W. H. Edwards, that the name of that butterfly is *Chionobas Semidea* (Say.) The description given by Mr. Scudder of its terrible struggle for existence, tends to arouse one's interest in it, and draws out one's sympathy for it, as we contemplate the dreary and joyless life it is doomed to lead in its inclement home, so opposite to what is considered to be the typical life of a butterfly. Grant Allen's conclusion is in perfect harmony with the theories prevailing on this subject, but there is another view that can be taken of it, which appears to me to be more in harmony with nature and observation, although it may spoil the romance, and give less play to the imagination; and that is the one contained in the well-known principle of the power of environment to modify the external appearance of living forms, and their ability to accommodate themselves to altered conditions.

To illustrate the principle that I wish to apply in this case, I shall draw upon Mr. Edwards's article on "Pieris Bryoniæ and its derivative forms," to be found in *Papilio*, for June, 1881. He says:

"The species, of which Bryoniæ is one of the forms, is known as Napi having in Europe three manifestations, Bryoniæ, Napi, and Napææ; the last of these was until recently regarded as a distinct species." Then quoting Dr. Weisman who says of Bryoniæ: "This is to a certain extent the potential winter form of Napi. This type Bryoniæ, in polar regions is the only form of Napi. Bryoniæ produces but one generation a year, and must, then, according to my theory, be regarded as the parent form of Napi." He then states that in the Alps and Jura, Napi swarms everywhere, and crossing takes place, which causes variability in Bryoniæ, but in Lapland Napi is never met with; so Bryoniæ preserves its constancy, and concludes thus: "Pieris Bryoniæ should be elevated to the rank of a species, and ordinary winter and summer forms should be designated varieties Napi and Napææ." Then Mr. Edwards, after a description of the markings of the various forms, says, "There are therefore the three forms under which the species manifests itself in Europe, Bryoniæ, Napi, Napææ; of which Bryoniæ may be considered the present form." Now to get myself into harmony with nature, I have to reverse this order. We all know that butterflies are lovers of the sun; and that they are most numerous in kinds and examples in warm countries where they flourish most luxuriantly, the conditions being more congenial to them. Therefore the natural inference is, that butterflies would first appear on this scene of life, in localities that were most favourable to them, and spread from these into those that were less so. We are all familiar with the restlessness of butterflies, and with what eagerness they will investigate every spot, seemingly with a determination to establish themselves there if possible; they succeed if the conditions are at all favourable, and some of them succeed even where the conditions are most unlikely. Now as Bryoniæ is a darker form than Napi, and Napææ being lighter still, and taking the result of Mr Edwards's experiments in this direction as a clue to some of nature's methods in this matter, which goes to show that cold has the effect of darkening the colour of some kinds, I infer that Napææ was the first to appear and to spread into a locality with a cold winter. This acting on the chrysalides, Napi appears as the spring form, and Napææ as the summer one. As the distribution goes on it reaches a yet colder climate, where Napææ disappears and Bryoniæ is the spring form, with Napi as the summer one. Pushing yet onward it gets into a locality where the season is too short for two broods, when the single brooded Arctic and Alpine Bryoniæ is alone to be found, and consequently constant, and there does not seem to be the slightest reason to doubt, that if every Bryoniæ was swept out of Europe in one season, their place would soon be filled from the warmer

plains below, and that they would be just as true Bryoniæ as those of the present —the result of the influence of climate on an impressionable organism, and the power of that organism to accommodate itself to altered conditions.

Now, then, let us return to our poor old friend Semidea, who has been having such a weary time of it on top of Mount Washington, for the last eighty thousand years. I do not know the form of Chionobas that flies on the plains of New Hampshire. I am dealing with one of the laws of nature that controls life, a far more reliable guide to correct conclusions, than the changeable external appearance of insects. But whatever they may be like, or by whatever name they may be called, I am quite confident, that upon investigation one of them will be found to stand in the same relation to Semidea that Napi does to Bryoniæ, and will be found capable of pushing its way up Mount Washington and to be modified by the changed conditions, and by the time it has established itself on the top it has become true Semidea; so that if at any time Semidea had been obliterated from Mount Washington by the severity of the conditions, and it would seem little short of a miracle if it never has been, its place could yet be filled from below.

Then there is *Semidea* in the Mountains of Colorado. The Chionobas of the Colorado plains, will undoubtedly be different-looking from those of New Hampshire and discerned by bearing different names, and from one of them the Semideas have come which are found on the mountains; the same principle governing one as the other. We turn to Labrador and the same principle is at work there, only the conditions for the production of Semidea are obtained without the necessity for the elevation. So that from Labrador within the Arctic circle to Long's Peak, Colorado, an unbroken chain of that species extends across the 2,800 miles that lie between, every link of which may differ somewhat from the one next to it, according to the conditions in which it lives, and be entitled to a distinguishing name, yet all united by the laws of consanguinity. At these three points, Labrador, Mount Washington and Long's Peak, Colorado, the conditions being the same, like results are produced and Semidea is the natural outcome. And according to Mr. Edwards, when specimens are brought from these widely separated localities and compared, they are not known to differ by a scale or a hair. I see that Mr. Scudder does not consider the Labrador form quite the same as the others, if so it would indicate that the conditions are not quite identical.

Mr. Edwards inform us that the Satyrinæ are a very numerous family, with many genera, these having numerous species, which I take as an indication that they are sensitive to external influences and readily modified thereby, and probably a full series might exhibit the gradations to be slight.

This, then, is the view I take of the way in which Arctic forms have been originated and perpetuated, and the principle at work in producing them is that which has been so carefully elaborated with such a wealth of illustration and knowledge of facts by Wallace in his Island Life; only he calls the forms produced by changed conditions "species" instead of varieties of a species, a mode of using the term that is ever liable to lead to confusion and misunderstanding.

FULLER'S ROSE-BEETLE.—(*Aramigus Fulleri*, Horn).

BY JAMES FLETCHER, OTTAWA.

From time to time complaints come to us of injuries done to greenhouse plants by some insect which gives abundant evidence of its presence, by the nibbled state of the leaves; but which is seldom detected. When such complaints are received, it is suggested that a light be taken into the greenhouse and search made at night. In most instances the culprit is found to be a small brown snout-beetle, shown at Fig. 28. This is known as Fuller's Rose-Beetle. There is no doubt that this insect is far commoner than is generally supposed. Its habit of feeding at night and hiding during the day time, added to the protection afforded it by its colour, saves it from detection until it attracts notice by its excessive numbers.

This is a comparatively new enemy, having only been described in 1876, when Dr. Horn named it after Mr. A. S. Fuller, who first brought it to his notice. It had however, been sent to Dr. J. A. Lintner, State Entomologist of New York, two years previous to that date.

A good deal has been written in different journals and reports upon the best way to overcome this pest; but it still keeps turning up in new localities every year, and is now reported as a greenhouse pest from the Atlantic to the Pacific coast.

Accounts of its life-history and habits are given in the Annual Report of the United States Entomologist for 1878, and Dr. Lintner's report for 1885. From these accounts we find that this insect injures greenhouse plants of many kinds; but its favourite food is undoubtedly the rose, and after this perhaps various kinds of lilies. The injury done by the mature beetle is however slight, compared with that of the larva (Fig. 26), which is a thick white legless grub, when full grown ¼ of an inch in length, the body curved, wrinkled above and flattened below, covered with short tawny bristles. Head yellow with dark, black-tipped, sharp mandibles, with which it consumes the young rootlets of various greenhouse plants, and by the destruction of these fibres with which the plant takes its food, soon destroys the vitality of the plant. Prof. Riley says:—(Ann. Rep., 1878, p. 256). "The most serious injury is done by the larvæ, which feed principally upon the more tender rootlets and thus attack the plant in its most essential parts. I have had a quite healthy rosebush totally destroyed in three weeks' time, by about three dozen of the larvæ, which were placed in the pot containing it." When plants are attacked at the root by larvæ they have generally a characteristic appearance. The new wood is weak and spindly, the colour is unhealthy and very few flowers are produced. When this is the case they seldom recover. I have seen plants of which every one of the young rootlets were destroyed, and which threw out new roots close to the surface, but these never did much good, and florists tell me that it pays better to throw away such plants and replace them with young, vigorous bushes. There is frequently much carelessness amongst florists in not appreciating the serious nature of an introduction of this pest into their premises, and it is not at all uncommon to see plants destroyed by the larvæ, simply pulled out and other healthy plants set in the same soil. This of course is a great mistake, and is a practice which should never be followed. When roses are grown under glass in the usual way, viz.:—in beds if the soil is found to be infested by the larvæ of this insect, it must all be

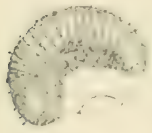

Fig. 26.

removed and fresh soil put in its place. There are several instances on record of rose-growers having given up the cultivation of this queen of all flowers, on account of the attacks of this insect; but this is not necessary, if they will learn something of its life-history and apply remedies accordingly. Prof. Riley has worked out the life-history and finds that the eggs are laid in flattened batches of from 10 to 60, the individual eggs being smooth yellow and ovoid and about one millimetre in length. They are laid by the female at the base of the plant just above the ground, and are generally pushed between the loose bark and the stem, or are laid between the earth and the main stem, just at the surface of the ground. They are so firmly glued together and to the place where they are deposited that they can only be detached with difficulty. After about a month the eggs hatch and the active little larvæ at once burrow down into the ground and begin their work of destruction. When full grown they turn to pupæ, Fig. 27, from which the mature beetles emerge in about three weeks. The perfect beetle, Fig. 28, is a brown weevil, a little more than $\frac{1}{4}$ of an inch in length, with a short thick snout and long slender antennæ or feelers, bent abruptly in the middle. The wing-cases are indistinctly striate, and bear rows of large punctures and minute hairs. A whitish stripe runs along the sides of the thorax and half way down the sides where it terminates as an oblique white dash, reaching to the middle of each wing-case. Prof. Riley says: "The parent beetles, like most other snout beetles, live for a considerable time, as I have kept them in confinement for nearly three months. They are nocturnal in habit, being quite active and feeding only after dusk. They shun the light during day-time and hide under the leaves or cling tightly to the branches or in some fork near the base of the plant, always in such position as not easily to be observed. They drop to the ground when disturbed, draw up their legs and 'play possum,' remaining motionless for some time and looking very much like a small lump of dry earth, the colour adding greatly to the resemblance. This habit of simulating death upon disturbance is common to many other insects of this family. They feed upon the leaves, but do more injury by severing them than by the amount of foliage consumed."

Fig. 27.

Fig. 28.

"The beetle seems to be purely American, and the genus Aramigus was in fact erected for it and another species (*A. tessellatus*), of about the same size, but of a silvery white colour, with faint green hue, which I have found in Kansas upon the well-known 'resin weed.' The beetle belongs to the same family, and is pretty closely allied to a well-known European beetle, *Otiorhynchus sulcatus*, Fab., which is larger and darker in colour, and is also very injurious to greenhouse plants, as well as to some grown out of doors. This species also occurs in this country." The last-named beetle has been taken by Mr. Harrington at Sydney, Cape Breton, but has never yet been reported as an injurious insect in Canada.

Remedies.—Probably the most satisfactory remedies for this pest are those which are directed towards the destruction of the mature beetles. As stated above these are very retentive of life. They can, however, certainly be conquered by constant watchfulness and by keeping the plants in the house where they occur frequently sprayed all the time the perfect beetles occur with weak arsenical mixtures. Paris green of the strength of 1 lb. to 300 gallons of water is strong enough to destroy the beetles and will not injure the plants if kept well mixed all the time it is being used. Mr. Alderman Scrim, of Ottawa, an extensive grower of roses and other plants for winter cut-flowers was very successful in trapping the beetles by means of the small bamboo canes commonly used by florists for supporting potted plants in greenhouses. These were cut so that there

was an open joint about three inches in length at the top. Into this chamber so formed the beetles would crawl to hide during the day, and were easily and quickly crushed by pushing a small rod down the cane every morning without removing the cane. In this way Mr. Scrim destroyed large numbers at a time of the year when it was inconvenient to renew all the soil in his rose-houses. Prof. Riley quotes in his 1878 report from an account written by the late Mr. Peter Henderson, of New York, of the work of this beetle. After stating his belief that the failure of many to grow roses is due to the unknown presence of the larvæ at the roots, he says as follows: "Mr. John May, the gardener in charge of Mr. Slaughter's rose-growing establishment at Madison, New Jersey, which is probably the largest in the vicinity of New York, has given great attention to the rose bug, his roses for four or five years being much injured by it; but by persistent efforts in destroying the perfect insect, he has now got entirely clear of it."

Experiments to destroy the larvæ and pupæ in the ground by means of bisulphide of carbon were unsuccessful.

Prof. Riley having discovered the habits of the insect as to the deposition of its eggs suggested the value of placing traps, composed of rags, tape or paper tied round the stems of the plants or round short sticks placed close to the plants. In these the females would lay their eggs. The eggs take about a month to hatch, and by scalding the rags at short intervals all the eggs would be destroyed. If the plan of tying rags to sticks be adopted these can be dipped in scalding water and again replaced at once without untying the rags.

With this as with most of the other injurious insects the most important thing is for the florist to recognise the serious nature of the attack and the necessity of carrying on the war unceasingly until every appearance of the enemy ceases

HYMENOPTERA PARASITICA.

BY W. HAGUE HARRINGTON, OTTAWA.

In his excellent work entitled a "Synopsis of the Families and Genera of the Hymenoptera of America, north of Mexico," Mr. E. T. Cresson gives the following concise statement of the general characters of the order Hymenoptera

Wings four, membranous, the posterior pair almost always smaller than the anterior, with comparatively few nervures.

Mouth mandibulate, and with a lower lip or tongue, sheathed by the maxillæ.

Tarsi generally 5-jointed, rarely 3 or 4-jointed, very rarely heteromerous.

Abdomen of the female furnished with a multivalve saw ovipositor, a borer, or a sting.

Larva vermiform and footless, except in the Phyllophaga and Xylophaga.

Pupa incomplete and inactive.

Keeping these definitions in view it will be seldom difficult even for those who are not entomologists to decide whether a certain insect belongs to the Hymenoptera. Many flies (order Diptera) have a close superficial resemblance to species of Hymenoptera, but they may at once be distinguished on an examination of the wings, of which they invariably have only *two*

Again insects may be found with four membranous transparent wings, as dragon flies (order Pseudoneuroptera) or cicadas (order Hemiptera), but in these orders the wings have a great number of nervures, or veins, forming a close network, and in all hemipterous species (bugs) the mouth is transformed into a proboscis, and lacks the mandibles or jaws common to Hymenoptera, and which are very apparent in large species like the bees.

We are informed that the abdomen of the female is furnished with a saw ovipositor, a borer, or a sting, and the order can be roughly divided into three sections based upon these differences in the sexual organs. The first section may be styled Phyllophaga (leaf-feeders), and contains the well-known saw flies, the larvæ of which are caterpillar-like and possessed of feet. The second section includes the Xylophaga (wood-feeders), generally known as horntails, the larvæ of which infest the trunks of trees, and the Parasitica (parasites) to which belong the long-stings and numerous allied forms. The third section Aculeata (sting-bearers) contains the bees, wasps, ants, etc.

Of the first and third sections as above indicated I have in former reports treated briefly, and I will now endeavor to outline the Parasitica, which constitute almost the entire second section, and which by reason of their great number and complexity of structure will make my task a difficult one to undertake in a single paper.

The section Parasitica contains at least half of the described species of our Hymenoptera, and the number of undescribed forms must be very large, as many of them are extremely minute and require more careful collecting and study than many entomologists can devote to them. They are divided into several families, of which some contain a large number of genera and species, and which will be briefly treated of in systematic order.

Cynipidæ.—This family contains a moderate number of small species (often minute) and is divided into two sections, one containing three and the other two subfamilies. The species contained in the first section are in the larval state chiefly producers of galls, or dwellers therein, instead of being truly parasitic in their mode of life. There is reason to believe, however, that the few species which constitute the first subfamily (Ibaliinæ) are true parasites upon the larvæ of wood-boring insects. The principal Canadian species is *Ibalia maculipennis* Hald., which occurs somewhat rarely on maple and beech. The structure of the insect is such as to attract attention, for though of moderate size (hardly three-fourths of an inch in length) it is still the largest of our Cynipidæ, and is easily distinguished by its strongly compressed or knife-shaped abdomen. Within the abdomen, which constitutes merely a sheath for it, is coiled a delicate ovipositor, much longer than the insect itself, with which it deposits its eggs in the decaying trunks of the beech and maple, where the larvæ when hatched probably exist upon other insects infesting the wood.

The subfamily Cynipinæ contains species producing galls upon plants. The trees most subject to their attacks are the various species of oak; the galls occurring upon them and the insects produced therefrom being in themselves a sufficient study for an entomologist. Some of the galls, such as the oak-apple, are of enormous size as compared with the minute grub which occupies the central cell therein, and which by some mysterious influence upon the growth of the plant structure causes this wonderful abnormal development. The various species of roses are also very liable to the attack of these insects, the galls chiefly occurring being large potato-shaped ones upon the roots, oval woody enlargements of the stems and clusters of pea-shaped swellings upon the leaves. Although various plants, including the raspberry and blackberry, are subject to these attacks there is not space to enumerate them here.

The subfamily Inquilinæ as its title indicates contains species which are inquilines or guests in the galls of the preceding species, which in structure and appearance they closely resemble.

The truly parasitic species of the Cynipidæ are comparatively few in number.

EVANIIDÆ.—The species belonging to this family are easily distinguished, as the abdomen is attached to the disc or base of the metathorax, instead of to the apex as in the other families. The species found in Canada belong chiefly to the genus Aulacus, the members of which frequent decaying trees, in which they may be found ovipositing. We have also two species of Fœnus—insects with a curious sickle-shaped abdomen—of which one (*F. incertus*) has a short ovipositor, while the other (*F. tarsatorius*) has a very long one. They may frequently be seen flying about trees, telegraph poles, etc., examining and entering insect burrows and crevices, and also upon golden-rod and other flowers in autumn. They are said to be parasitic upon certain bees. The species of Evania, which have curious hatched-shaped abdomens, are said to infest cockroaches.

TRIGONALIDÆ.—This family contains only one genus (Trigonalys) and the four species therein are of rare occurrence and not as yet recorded from Canada. Habits unknown to me.

ICHNEUMONIDÆ.—This family is a very extensive one and contains our largest and best known parasites. It is divided into five sub-families of somewhat equal size. Of the sub-family Ichneumoninæ there are more than two hundred species credited to the typical genus Ichneumon, and of these at least fifty occur in the vicinity of Ottawa. These ichneumons are somewhat wasp-like in form, but more slender; our largest species (*I. grandis*) is sometimes an inch in length, but some of the smaller species are less than one-third of an inch and the average size is about two-thirds. The ovipositor is short and retracted within the abdomen so as to be rarely visible, but the females may be distinguished by their stouter abdomens, and frequently by the antennæ being rolled, while those of the males are longer and straight. The anterior wings have a small pentagonal cell called an areolet, which occurs also in many other Hymenoptera, (see wing of Cryptus, Fig. 29) although the areolet is incomplete, triangular, rudimentary or wanting in many genera. Many of the ichneumons are entirely black (or with a few white markings,) others have the abdomen red, others again are banded with black and yellow, or are ferruginous with black markings. They are parasites of the caterpillars of our butterflies and moths. The genus Amblyteles contains a number of species almost identical in appearance with those of the preceding genus and of similar habits. Hoplismenus is distinguished by having pointed tubercles or spines upon the metathorax. A common and well marked species is *H. moralus*, which is a parasite of certain butterflies. The genus Trogus contains a few large species of which *T. exsorius*, a yellow species with smoky wings, is a common parasite of the caterpillars of our Black Swallow-tail butterfly, *Papilio asterias*.

FIG. 29.

CRYPTINÆ.—Cryptus, the typical genus of this sub-family, contains species

very similar in shape and colouring to those of the preceding sub-family, but of smaller size and having the ovipositor exserted and sometimes quite long. A common species is *Cryptus extrematis* which I have frequently bred from the cocoons of our large moth *Telea polyphemus*. Figure 29 shows the female and Figure 30 a cross-section of the moth's cocoon, indicating how the cocoons of the parasite lie side by side within it closely packed. The genus contains a great many species, as does also the genus Phygadeuon, the species of which differ chiefly in having the ovipositor shorter. The genus Hemiteles contains small species with incomplete areolet, which are said to be secondary parasites; *i.e.* parasites of parasites, while the species belonging to Pezomachus are wingless and ant-like in shape and may be found upon the ground or on foliage.

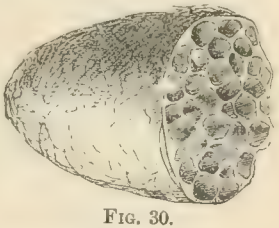

Fig. 30.

Ophioninæ.—The species included in this sub-family usually have the ovipositor short, and they differ from the rest of the Ichneumonidæ in having the abdomen compressed laterally, so that it becomes sickle-shaped. Some of the larger forms show this in a marked degree. The typical genus Ophion contains large yellow insects of which some are very abundant. Our largest species is *Ophion macrurum* (Figure 31) which is a parasite of the caterpillar of the large American silkworm moth (*Telea polyphemus*). The larva of the ophion is a large, stout grub, which when full grown spins a dark brown cocoon which almost fills the cocoon of the moth, and from which the fly emerges by cutting a circular door at one end. *O. bilineatum* infests the White Miller moths, while *O. purgatum* (which has two yellow specks in one of the cells of the anterior wing) is a parasite of the army worm.

Fig. 31.

Thyreodon morio is a fine insect of nearly the size and shape of *O. macrurum*, but of a deep black colour, with dark, smoky wings and yellow antennæ. The genera Exochilum and Heteropelma contain a few large species of the same general appearance, while *Opheltes glaucopterus* might be mistaken for *Ophion macrurum*, except that there is an areolet in the anterior wing and that the terminal segments of the abdomen are black. This fine species has been bred by my friend Mr. Fletcher from the cocoons of *Cimbex Americana*, the great Willow Sawfly.* Anomalon and Campoplex contain a large number of species of moderate size, with the abdomen long and very thin. They are parasites of caterpillars, such as the destructive Tent caterpillars, and they do good service in keeping down such pests. Another large genus of very beneficial species is Limneria, but in this and the remaining genera of the sub-family the species are mostly small. Figure 32 shows *Thersilochus conotracheli* a parasite of the plum weevil. In Banchus the scutellum is often armed with a sharp spine.

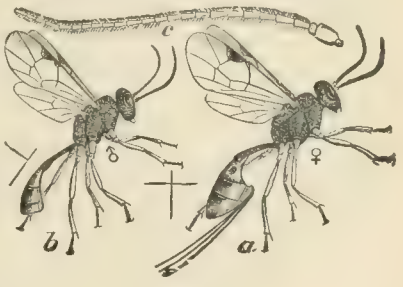

Fig. 32.

* Canadian Entomologist, Vol. XIX, p. 80.

TRYPHONINÆ.—In this and the following sub-family the abdomen instead of being compressed laterally and thus being more or less knife-shaped, is cylindrical or flattened vertically, especially the basal segment, which instead of forming a slender petiole, is in the majority of genera attached to the thorax by its full width. In the present sub-family the ovipositor is short and not exserted. There are a number of genera, of which Mesoleptus and Tryphon are the most important, but without figures it would be difficult to satisfactorily describe any of the species. Euceros is distinguished by its flattened antennæ and Chorinæus by having one or two segments of the abdomen longitudinally keeled above, as in the genus Rhogas of the Braconidæ.

PIMPLINÆ.—This sub-family contains many fine species, including the largest and most striking of all our Hymenoptera. The structure of the abdomen is generally as in the preceding sub-family, but the exserted ovipositor is usually at least half the length of the abdomen, and not unfrequently is much longer than the whole body of the insect. This development of the ovipositor is due to the fact that the victims of those species in which it is very long are usually wood-borers, dwelling in burrows in the wood or under the bark of various trees and apparently secure from the attacks of the enemies of more exposed species. Arotes contains several handsome species; black, with markings of yellow or white, and with the ovipositor about the length of the insect. I have found them ovipositing in dead hickory, infested by *Saperda discoidea*, etc. Of Rhyssa there are five species recorded from Canada, of which *R. persuasoria* is also found in Europe. This is a large species, the female (with ovipositor) being 2½ inches in length. The general colour is black, with white markings, but the legs are rufous. Provancher states that this species is an especial parasite of the large pine-borers, *Monohammus confusor* and *M. scutellatus*. I have not recognized the species at Ottawa yet, but have a male apparently belonging to it from Rev. G. W. Taylor, of Victoria, B.C. The closely allied genus Thalessa contains the giants of the Parasitica, those large species popularly known as "Long-stings." Two species, *atrata* and *lunator*, are common, while three others, which may be perhaps varieties, are recorded. The specific name of *Thalessa atrata* signifies that the species is black, and this is true of the female, with the exception of the head, the antennæ and portions of the legs. The male, however, has the legs almost entirely yellow, the thorax much varied with the same colour, and the abdomen much lighter than that of the female. A large female measures fully an inch and a half from the head to the tip of the abdomen, beyond which the ovipositor extends five inches. The legs, wings and antennæ are developed in proportion, so that the motions of the insect are active and she flies strongly. The size of these insects and their curious method of oviposition (egg-placing) have made them objects of much interest to entomologists. Their larvæ are parasites (feeding externally) of the grubs of the wood boring "Horn tail" called *Tremex columba*. I am sorry that space does not permit me to give a fuller account of their habits, which have been very carefully worked out by Prof. Riley. In *T. lunator*, which is a somewhat smaller species and more variable in size, the thorax and abdomen are largely marked with yellow. To those who wish to observe these insects I may say that they can generally be found about old maples and beeches in midsummer.

The genus Ephialtes contains several fine species having the abdomen tuberculate along the sides and the ovipositor as long as the insect itself. *E. irritator*, which I have taken on dead hickory in June has the abdomen and legs red, but other large species such as *gigas* and *occidentalis* are black, with the exception of the legs.

Pimpla, the genus from which the sub-family takes its name, contains a number of very useful species of which *P. conquisitor* (Figure 33) is a great aid in checking the ravages of the Forest Tent-caterpillar. I observed it to be very abundant in 1889. This species has the segments of the abdomen margined with white, but in our other species the thorax and abdomen are entirely black. The legs, however, as in this species, are usually red, and more or less variegated with black and white. Our largest species, *P. pedalis*, also an enemy of Clisiocampa, has the legs red, with the exception of the hinder tibiæ and tarsi, which are black, while *P. pterelas*, which can be bred in large numbers from pods of iris infested by the beetle *Mononychus vulpeculus*, has its legs entirely red. A very closely allied species *P. annulipes* (Figure 34) is said to be a parasite of *Carpocapsa pomonella*, the Codling moth, whose larvæ do such enormous damage to our apples.

Fig. 33.

Fig. 34.

Differing from Pimplas chiefly in colour are two yellow species belonging to the genus Theronia. In Victoria, B.C., in May, 1888, I observed *T. fulvescens* to be very abundant and as it is a parasite of the western Tent-caterpillar, which was then in immense numbers, I have no doubt that the insects were then engaged in the good work of depositing their eggs in the obnoxious caterpillars. The species which occurs here is called *Theronia melanocephala* from its black head, and I have bred it from cocoons of *Halesidota maculata*.

The sub-family contains many other genera, some of which, as Xorides, Xylonomus, Ecthrus and Odontomerus, include large handsome species.

Stephanidæ.—This family only contains two genera, and the American species described are only four in number. They are rare in collections, and none are yet reported from Canada I think. In appearance they much resemble some species of the next family, and having long ovipositors are probably parasites of wood-borers.

Braconidæ.—The described species of this family are not so numerous as those of the ichneumonidæ, nor are they so large, but they include many interesting forms, and many of great use in keeping down noxious insects. The braconids are distinguished from the ichneumonids by the venation of the anterior wings, which lack the cross-vein known as the second recurrent nervure. On examining the wing of Cryptus, for instance, (see Fig. 29) there is seen just below the areolet (or little pentagonal cell) a cross-vein, but if the wing of a Bracon (see Fig. 35) is examined it will readily be seen that there is no trace of a corresponding cross-vein. In the braconids also (except in one small section) the second and third segments of the abdomen are rigidly connected, instead of being flexibly jointed. They are separated into five divisions, which are further divided into sub-families.

Cyclostomi.—In this division the clypeus (or portion of face just above the mouth) is emarginate, thus forming a semi-circular opening above the mandibles or jaws. There are nine sub-families, but the majority of the species are contained in the genera Bracon and Rhogas.

The larger species of Bracon are usually black, with bright red abdomen, dark, smoky wings, and a long ovipositor. They may be seen upon dead trees, and are largely parasitic upon the larvae of beetles which infest the trees. The larva of the Bracon spins a tough oval cocoon, perfectly flat above and below. Such cocoons can frequently be found under the bark of maple, cedar, etc., in the burrows of the beetles upon which the parasites preyed. The smaller species are reddish or yellowish, and infest dipterous and other larvæ. Fig. 35 shows *Bracon charus* which is said to be a parasite of *Chrysobothris femorata*, the flat-headed apple tree-borer.

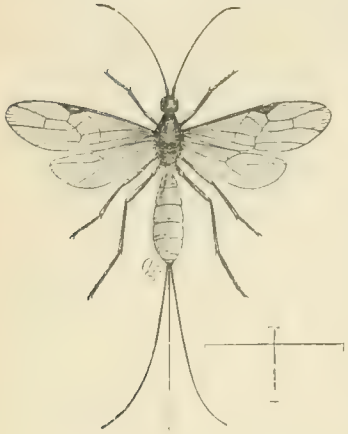

Fig. 35.

The species of Rhogas differ from Bracon in having the ovipositor short, the wings transparent, and especially in having the first segments of the abdomen carinate. *R. intermedius* is a medium sized yellow species which I have frequently bred from a handsome caterpillar (*Acronycta* sp.)

Many larvæ live in one caterpillar, which dies from the attack when it is about full grown. The victims may frequently be seen extended on stems of grass, apparently at rest, but on closer examination are found to be stiff and hard, and perhaps riddled with minute holes from which a score or more of the flies have issued.

Cryptogastres.—The species included in this division are easily recognized by the form of the abdomen which, instead of consisting of several segments, with sutures (or joints) between them, seems to be in one piece. This shield-like abdomen, however, consists of the first three segments welded together. It conceals the ventral segments, and thus gives the name to the division, which contains the two sub-families, Sigalphinæ and Cheloninæ.

Fig. 36 shows very clearly the male and female of *Sigalphus curculionis*, which is one of the parasites of the plum-curculio.

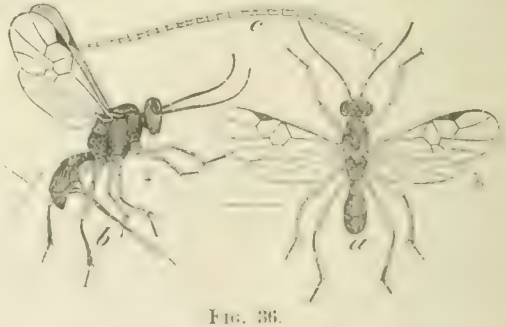

Fig. 36.

Areolarii.—In this division the distinguishing feature is in the venation of the wing, in which the second submarginal is minute, forming a small triangular areolet, or often imperfect. There are two subfamilies as in the preceding division. The first includes the well-known genera Apanteles and Microgaster; each containing many species, which, though small, are of great benefit in holding lepidopterous larvæ in check. Mr. Howard (in Scudder's Butterflies of the United States and Canada) mentions no less than sixteen species of Apanteles as parasites of butterflies.

Polymorphi.—This division contains several subfamilies, and includes some large species, such as Helcon, but it is almost impossible without illustrations to give any satisfactory idea of the numerous genera. Fig. 37 shows, greatly enlarged, *Macrocentrus delicatus*, a parasite of the Codling moth.

EXODONTES.—This division is very poorly represented in Canada, or at least in collections. The species are small, but may be distinguished by an examination of the mouth parts; the mandibles have the tips turned outward (as the name of division indicates), and cannot therefore be used for biting.

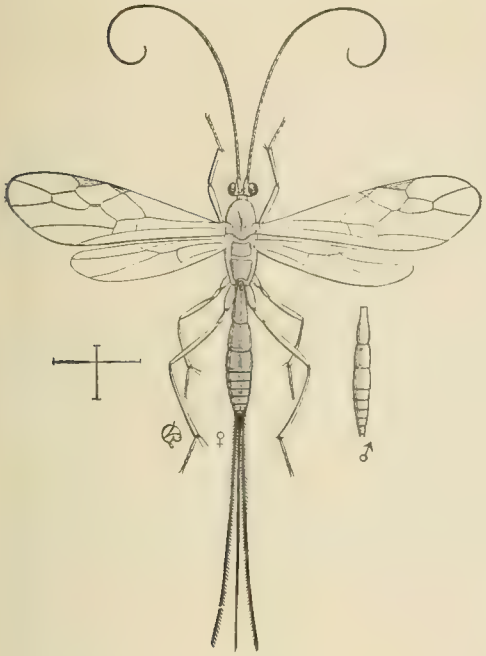

FIG. 37.

FLEXIVENTRES.—This division contains species which differ from all the other braconids in having the segments of the abdomen freely articulated, so that it can be bent under the thorax. There is only one sub-family, the Aphidiinæ, and the species are very small, yet they are of great economic importance, as they are parasites of various species of aphides, or plant-lice. The larva feeds inside the aphis, which becomes swollen, and finally is found fixed to the plant on which it has been feeding, a mere dead shell from which the tiny parasitic fly has escaped. The grain aphis is said to be kept in check by one species, which alone must save an immense sum to our farmers.

CHALCIDIDÆ.—Here we have another very extensive family; the species differing greatly in structure and in habits. They are always small, but frequently are very brilliant in appearance, glittering with bright tints and metallic lustres. It will only be possible to glance at a few of the forms, as the great diversity of structure which obtains among them, and their minuteness make their study and identification difficult except for one who can devote much time to it. The wings have scarcely any traces of venation, except the vein along the front edge.

Leucospis affinis is our largest species; a black and yellow fly about one-fourth of an inch long, with its ovipositor curved up over the abdomen in a curious manner. It is frequently found on golden-rod, and is a parasite of bees.

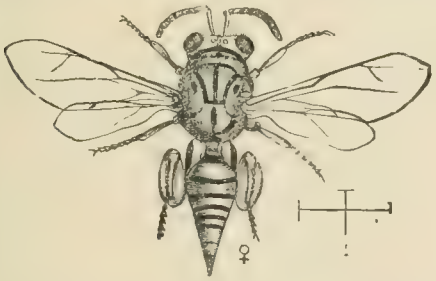

FIG. 38.

FIG. 39.

Smicra and Chalchis contain species remarkable for the development of the hind legs. Fig. 38 shows *Smicra mariæ*, which is a parasite of the Cecropia caterpillar, and Fig. 39 gives *Chalcis flavipes* which attacks the larva of the cotton moth.

The genus Torymus contains a number of species, which may be bred from different galls. The females have the abdomen flattened ovate, and sometimes prolonged to an acute point; the abdomen of the males is very small, and the insects are black. A not uncommon species is *T. gigantea*, which is bred from the large globular galls produced on stems of golden-rod by a fly (*Trypeta solidaginis*), about the size of a house fly, with mottled wings.

The closely allied genus Isosoma contains species which depart from the parasitic habits of the majority of the family, and become themselves noxious insects. *Isosoma hordei* (Fig. 40) is the well-known Joint-worm of wheat and barley straw, making gall-like swellings at the joints, in which several cells may be found, each containing a little grub.

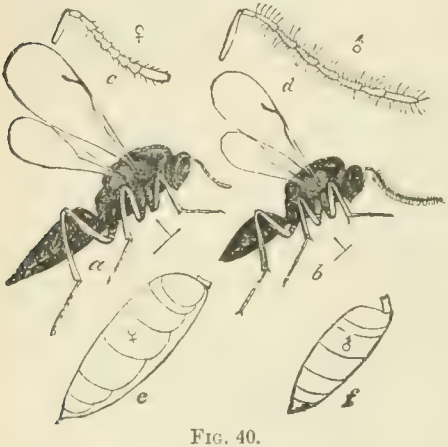

Fig. 40.

The sub-family Pteromalinæ contains, amid a great complex of tribes and genera, a correspondingly great number of species. The typical genus, Pteromalus, alone contains more than 30 species, of which some are well-known parasites of butterflies. *P. puparum* is recorded as bred from eleven species of butterfly, and is a common destroyer of the chrysalids of the cabbage white butterfly (*Pieris rapæ*) and of *Vanessa antiopa*. I have counted more than 450 flies from one pupa of the latter, and sometimes scarcely an uninfested chrysalid can be found. The species of Tetrastichus are also frequently parasites of butterflies, while *T. esurus* (Fig. 42) has been bred from the cotton moth. The genus Trichogramma (which constitutes a sub-family) also has similar habits, and *T. minutum* (Fig. 41) is a parasite of our large Milkweed Butterfly (*Danais archippus*).

Fig. 41.

Proctotrupidæ.—This family has been but meagrely investigated in Canada, although the species are numerous, and often of interesting structure. They are not so varied in coloring as the Chalcididæ, to which they are closely related, but are usually brown or black. Many of them are wingless, living among low herbage and moss, and some of the genera consist of species so minute that they live and mature in the eggs of other insects. I have found clusters of moths' eggs from each of which, instead of a young caterpillar, has issued a perfect winged fly (*Teleas orgyiæ*.) Those of Scelio infest, I believe, the eggs of grasshoppers or crickets.

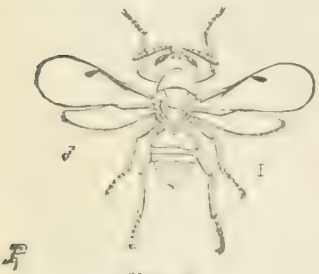

Fig. 42.

Pelecinidæ.—This family is a very easy one to study, as it contains only one species, *Pelecinus polyturator*, the shape of which is so different from all other hymenoptera that it can be quickly recognized. This fine insect is of a glossy black, with short wings, containing few veins. The male has a club-shaped abdomen, but the female has hers greatly elongated—about five times the length of her head and thorax—her total length is about two inches. The females are

not uncommon, and generally fly near the ground, but their habits are otherwise unknown. I have taken them as far eastward as Nova Scotia, but I do not know how far westward their range extends. The male is exceedingly rare, and I have only seen one specimen that was captured in Ontario.

Although this review of the great complex of insects embraced in the Parasitica has been a very rapid and incomplete one, I hope that it has at least given some idea of their great number, their diversity of structure and their economic importance. We see that egg, larva and pupa are alike subject to their attacks, and that scarcely any form of insect defence appears to be sufficient to prevent their attacks. The grub gnawing his hidden burrow in the tree, and the scale insect adhering firmly to the twig, alike have their parasitic foes differing in size and method of attack.

It will be observed further that the value of any species in destroying obnoxious forms does not depend upon its size or strength. The greatest benefits are often effected by atoms so minute as almost to escape our search, but which by their numbers work wholesale destruction to their victims. The tiny fly that destroys a cluster of eggs is a greater helper than the larger one that might later destroy the brood of caterpillars, because in the latter case a certain amount of depredation is committed before the labours of the parasite are fulfilled. The diminutive devourers of aphides are of unknown value, as plant-lice increase so enormously by rapidly succeeding generations that if it were not for such providential safeguards they would swarm everywhere working devastation.

INSECTS INJURIOUS TO THE ELM.

BY F. B. CAULFIELD, MONTREAL.

First are insects injurious to the trunk.

1. The Common Elm-tree Borer, *Saperda tridentata*, Oliv, Order Coleoptera, Family Cerambycidæ.—A very destructive insect, boring in the inner bark and the surface of the wood of elm trees. Fitch states that the eggs are deposited in June and that the young larvæ nearly complete their growth before winter, and soon after warm weather arrives in spring they pass into the pupa state. Packard, who has found the larva in abundance in spring in Providence, under the bark of old dead elms, describes it as follows:—"White, sub-cylindrical, a little flattened, with the lateral fold of the body rather prominent; end of the body flattened, obtuse, and nearly as wide at the end as at the first abdominal ring. The head is one-half as wide as the first prothoracic ring, being rather large. The prothoracic segment, or that next to the head, is transversely oblong, being about twice as broad as long; there is a pale dorsal corneous transversely oblong shield, being about two-thirds as long as wide, and nearly as long as the four succeeding segments; this is smooth, except on the posterior half, which is rough, with the front edge irregular and not extending far down the sides. Fine hairs arise from the front edge and sides of the plate, and similar hairs are scattered over the body and especially around the end. On the upper side of each segment is a transversely oblong ovate roughened area, with the front edge slightly convex, and behind slightly arcuate. On the under side of each segment are similar rough horny plates, but arcuate in front, with the hinder edge straight.

It differs from the larva of *Saperda vestita*, Say, in the shorter body, which is broader, more hairy, with the tip of the abdomen flatter and more hairy. The prothoracic segment is broader and flatter, and the rough portion of the dorsal plates is larger and less transversely ovate."

These destructive grubs by tunnelling and undermining, loosen large portions of the bark, stopping the flow of sap, weakening and finally killing the tree.

The perfect insect is a flat-bodied beetle, measuring from four to six-tenths of an inch in length. It is of a rather dark brown colour above, with a grayish tinge caused by a coat of very short downy hairs. The under surface blueish gray. The basal joints of the antennæ are blackish brown, the remainder paler. A line of orange encircles each eye, and a stripe of the same colour runs from the antennæ to the hind margin of the thorax, and is continued along the edge of the wing-covers where they are bent down over the sides of the body, getting narrower gradually until it reaches the tip. From this border, three branches or teeth run obliquely towards the inner edge of the wing-covers, the middle one being the longest. There are six small black spots on the thorax, two on top just behind the antennæ, and two on each side below the orange stripe, and at each angle of the stripes on the wing-covers, there is a small dark patch or spot.

Any trees known to be attacked by borers should be cut down in the fall or during the winter, and used for firewood, care being taken not to leave any exposed during the summer; particularly in June and July, as at this time most of our borers deposit their eggs. It follows, therefore, that no freshly cut, or fallen trees, or branches should be left lying about, and if cordwood is piled, it should be covered, as the borers will surely find all newly felled wood if left exposed, and where such carelessness is permitted, will congregate and multiply year after year.

2. The Lateral Elm Borer, *Saperda lateralis*, Fab, Order Coleoptera, Family Cerambycidæ.—This beetle very closely resembles the preceding species, and its habits appear to be the same; it differs somewhat in markings, as the orange border on the wing-covers wants the three teeth running towards the inner margin. It bores in the inner bark of the elm, appearing in June, but seems to be less common than *Saperda tridentata*.

3. The Six-banded Dryobius, *Dryobius sexfasciatus*, Say, Order Coleoptera, Family Cerambycidæ.—According to Dr. Fitch, the larva of this species is similar to that of *Saperda tridentata*, and is found along with it; it is, however, larger than that species.

The perfect insect is a black beetle measuring from three-fourths to seven-eighths of an inch in length. The general colour is black, the thorax deeply margined with yellow, and each wing-cover is ornamented with four oblique bands of the same colour; the scutel, as entomologists name the little triangular piece at the base of the wing-covers, is also yellow. The antennæ are reddish brown, the legs reddish, the thighs being dilated or swollen, the abdomen is banded with yellow. I do not find this species on the Society's list of Canadian beetles, but think I have seen it recorded by a Canadian entomologist.

4. The Short-lined Dularius, *Dularius brevilineus*, Say, Order Coleoptera, Family Cerambycidæ.—This is a large black longicorn beetle, with dark blue wing-covers, not covering the whole of the abdomen; a rounded thorax, flattened above and the thighs very much swollen. "The antennæ are about two-thirds the length of the body, flattened towards the end, and somewhat serrate. The body above is velvety black, and brown black beneath. The head is black and coarsely punctured, and the prothorax is covered with short, dense, black hairs, like velvet. The wing-covers are Prussian blue in colour, bent, corrugated, with an interrupted ridge just outside the middle of each cover. They are covered with fine black

hairs, bent over. There is a pair of parallel short honey-yellow lines in the middle of each wing-cover, with a third one a little in front, making in all six streaks. The legs and feet are black. It is a little over eight-tenths of an inch in length." (Packard).

Bores in elm trees. Mr. George Hunt has observed this species inserting its eggs in the crevices of the bark. Occurs in Ontario and Quebec, but apparently is not abundant.

5. The Red-headed Clytus, *Neoclytus erythrocephalus* Fab, Order Coleoptera, Family Cerambycidæ.—This pretty little beetle bores in the elm and also in hickory, etc. "It is about one-third of an inch long, and hardly one-tenth of an inch wide, the thorax being very cylindrical and as wide as the wing-covers. The colour is a rusty red, the head being of a lighter red, whence the name *erythrocephalus*, from two Greek words signifying "red-head." The antennæ are about one-half as long as the body; the elytra have four narrow yellow bands across them, and the legs are long and slender, especially the hinder pair, which are almost twice as long as the body. This beetle is exceedingly quick in its movements, and is difficult to capture as it runs swiftly, and take to flight instantly, if disturbed." (Harrington). This species has been taken on hickory by Mr. W. H. Harrington and has been bred from that tree by Drs. Leconte and Horn. It has been found under the bark of an old sugar maple by Mr. G. Hunt, and bred from oak by Dr. Riley. It has been found boring in dead elms in Michigan by Hubbard, and I have myself found it at Montreal on a fallen red oak, so that it appears to infest various kinds of forest trees.

At least two species of bark-beetles are known to infest the elm. The *Scolytidæ*, to which family they belong, are all of very small size. The female drives a long gallery between the bark and the wood, depositing an egg at intervals as she progresses; each larva when hatched drives a tunnel at almost a right angle to the main gallery, and when its transformations are completed, cuts a hole through the bark, through which it escapes. A tree infested by these insects, looks as if it had been riddled with shot, and the surface of the wood is scored in all directions with their burrows, loosening the bark and destroying the tree.

6. The Elm Bark-borer, *Phlœotribus liminaris*, Harris, Order Coleoptera, Family Scolytidæ.—According to Dr. Harris this little beetle "is of a dark-brown colour; the thorax is punctured, and the wing-covers are marked with deeply punctured furrows, and beset with short hairs. It does not average one-tenth of an inch in length."

7. The Black Elm Bark-borer, *Hylesinus opaculus*, Leconte, Order Coleoptera, Family Scolytidæ.—This is a stoutly built pitchy-black beetle found under the dry bark of elm and ash trees. Both these species are given in the Society's list of Canadian beetles.

8. According to Packard, The Snowy Tree Cricket, *Œcanthus niveus*, Serville, deposits its eggs in the corky bark of the elm in the Southern States. The perfect insect, Fig. 43, is a slightly formed pale green cricket, with ivory white wings; the female, Fig. 44, with a long ovipositor. Very common in Ontario and Quebec, as far east as Montreal.

Fig 43.

Fig. 44.

Second are insects injuring the leaves.

9. The Antiopa Butterfly, *Vanessa antiopa*, Linne, Order Lepidoptera, Family Nymphalidæ.—Every one who has walked through the woods in early spring, must have noticed a large dark-colored butterfly, that dashing up when approached, after circling

around for a few moments, now fluttering, and anon gliding on motionless wing, settles down again in some sheltered spot where it sits opening and closing its wings, enjoying the balmy air and bright sunshine that once again awakens nature from her death-like sleep, to renewed life and activity. This is the well-known Antiopa butterfly, the "Camberwell Beauty" of the English entomologists. Antiopa passes the winter in any convenient shelter that it can find. Dr. Harris tells us that he has found it sticking to the rafters of a barn, and in the crevices of walls and stone heaps, huddling together in great numbers. It also hibernates on the ground, clinging to the under surface of stones in dry situations. The female deposits her eggs in a cluster around a twig of elm, willow or poplar; and until nearly full grown, the caterpillars keep together. The mature larva is black, thickly dotted with white giving it a grayish appearance. On top of the back is a row of eight brick-red spots, and the body is armed with a number of strong branching spines. The first brood of caterpillars appears in June, the second in August, and the butterflies from the last brood hibernate. The butterfly is dark maroon brown on the upper side of the wings, with a broad border of yellow, thickly dotted with brown; on the inner side of this border there is a band of black, in which is set a row of blue spots; the front edge of the wings is marked with fine yellow lines and two spots of the same colour. A variety is occasionally met with, in which the yellow border is unusually broad, and the dark band with the blue spots is wanting.

If numerous enough to be troublesome, these caterpillars may be killed by shaking them off the branch on which they are congregated, and crushing them. This should be done while they are small, as when nearly full grown, they scatter over the trees and wander about in search of a suitable place in which to undergo their transformations.

10. The Interrogation Butterfly, *Grapta interrogationis*, Fab, Order Lepidoptera, Family Nymphalidæ.—This is a dimorphic species, the hibernating form being known as *Fabricii*, the other as *Umbrosa*. Fig. 45 represents *G. progne*, a closely allied species.

Fig. 45.

Farther to the south there are about four broods in a season, but with us only two, and while the last brood gives the pale form which hibernates, the other broods are more or less mixed. *Fabricii* has the upper surface fulvous, spotted with black and clouded with warm brown; on the hind wings the brown predominates, the lighter colour being restricted to a patch on the upper angle, and a row of spots a little inside the outer edge; the edges of all the wings are light purplish blue. The front margin of the fore wings is convex, the tip cut squarely off, the outer margin concave. Hind wings tailed. Under surface marbled and clouded with various shades of brown and purple, and with an interrupted C in the middle. *Umbrosa* has the upper surface of the hind wings almost entirely black, the submarginal row of spots being absent, the fore wings are not so falcate, and the tail on the hind wings is shorter.

"The young larvæ are whitish yellow, somewhat marked with brown, head black. After the first moult their colour is black, more or less specked with white, and they begin to be clothed with short spines, all black except those on the eighth and tenth segments which are whitish. After the second moult they begin to assume the type they retain to maturity. The spines are in seven rows, fleshy at base, slender and many-branching at extremity: the dorsal and first

lateral on joint 3 are black, on joints 2, 4, and 11 russet, the rest yellow; the second laterals black throughout, the lowest row greenish, head bilobed, black, with short black spines on vertices. After the third moult the larvæ vary greatly both in colour of body and spines. Some are black, finely specked with yellowish; others are yellow-brown, specked with yellow tubercles; others gray-brown with indistinct reddish lines between the spines on the dorsal and two lateral rows, and much tuberculated; others are black with fulvous stripes and profusely covered with yellowish tuberculated spots and points. The spines vary from black to fulvous and green and yellow. (French). Feeds on elm, basswood, hop, nettle and false nettle.

Grapta comma, Harris, closely resembles the preceding species but is smaller, and the wings are not so decidedly falcate. Food plants the same.

11. The Spring Canker Worm, *Anisopteryx vernata*, Peck, Order Lepidoptera, Family Phalænidæ.—Late in autumn when the leaves have fallen and the insect tribes have almost entirely disappeared, this fragile looking moth, Fig. 46, may be seen flying slowly through the deserted woods. "The fore wings of the male are ash-coloured and semitransparent, with a broken whitish band crossing the wings near the outer margin, and three interrupted brownish lines between that and the base. There is an oblique black dash near the tip of the fore wings and a nearly continuous black line before the fringe. The hind wings are plain, pale ash-coloured, or very light gray, with a dusky dot about the middle of each." (Saunders.)

Fig. 46.

A second species, *A pometaria*, Fig. 47, very closely resembles *vernata*, but the wings are less transparent and are a little darker in colour, and the hind wings are generally crossed by a white band. The females of both species are wingless. The eggs are deposited in masses, generally in crevices in the bark. The larvæ vary in colour from greenish yellow to gray and dark brown. When fully grown they leave the trees by creeping down or else lower themselves by means of a silken thread and enter the ground to change to chrysalis. The moths generally emerge late in the fall, but some individuals do not appear until spring. To prevent the females creeping up the trees, strips of canvass or stiff paper, covered with tar or printers' ink, should be applied to the tree, renewing the covering from time to time to keep it soft and sticky, and as the moths may deposit their eggs below the band care must be taken to leave no crevices through which the young caterpillars might pass.

Fig. 47.

Canker worms are widely distributed, occurring in Canada as far east as Montreal at least. They feed on many kinds of leaves, and where precautionary measures are not adopted often prove exceedingly injurious.

12. The November Moth, *Epirrita dilutata*, Hubn, Order Lepidoptera, family Phalænidæ.—This moth, like the Canker worm, flies late in autumn and would be easily mistaken for that insect. The body and wings are pale ash gray, the fore wings with eight wavy black lines and double row of black dots next the margin. Fringe whitish. Hind wings with four faint wavy lines. Wings expand about an inch and a quarter. Although generally not common in this neighbourhood, it is occasionally quite abundant.

The following insects are also known to feed on the elm :

Coleoptera.—Galeruca calmariensis, Linn ; Chrysomela scalaris, Leconte ; Monocesta caryli, Say ; Graptodera chalybea, Ill ; Cotalpa lanigera, Linn ; Magdalis armicollis, Say.

Hymenoptera.—Tremex columba, Linn ; Cimbex Americana, Leach.

Hemiptera.—Colopha ulmicola, Fitch ; Eriosoma Rileyi, Thomas ; Schizoneura Americana, Riley ; Callipterus ulmicola, Thomas.

Lepidoptera.—Papilio turnus, Linn ; Ceratomia quadricornis, Harris ; Hyphantria textor, Harris ; Telea polyphemus, Hubn ; Hyperchiria io, Fab ; Halisidota caryæ, Harris ; Orgyia nova, Fitch ; Orgyia leucostigma, Abb and Smith ; Datana ministra, Drury ; Tolype velleda, Stoll ; Edema albifrons, Walk ; Clisiocampa Americana, Harris ; Clisiocampa sylvatica, Harris ; Apatela vinnula, Grote ; Apatela occidentalis, Grote ; Apatela morula, Guen ; Apatela ulmi, Harris ; Paraphia unipunctaria, Haw ; Metanema quercivorana, Guen ; Hibernia tiliaria, Harris ; Sicya mucularia, Guen ; Metrocampa perlaria, Guen ; Eugonia subsignaria, Hubn ; Nephopteryx undulatella, Clem ; Nephopteryx ? ulmi-arrosorella, Clem ; Bactra ? argutana, Clem ; Lithocolletis argentinotella, Clem ; Lithocolletis ulmella, Clem ; Argyresthia austerella, Zeller.

Mr. A. F. Winn informs me that *Pyrameis atalanta*, Linn, feeds readily on elm in confinement and that he has seen *Grapta j-album* ovipositing on it.

THE ENTOMOLOGY OF SHAKESPEARE.

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Some time ago, in a list of books upon Shakespeare and his works, I noticed that there was one upon the *Entomology of Shakespeare*. The book was beyond my reach. It occurred to me that it would be an interesting study to examine for myself and find out what particulars the great moralist and prince of poets had gathered concerning insects from the folk-lore of his day and his own observation, and to what account in his plays he had turned the knowledge he had gained. Accordingly, as leisure was afforded me, I read over the plays carefully and noted down the allusions to insects that I discovered. I found that the plays contained at least 168 references to insects, viz. :—To honey-bees, 18 ; humble-bees, 5 ; wasps, 8 ; ants, 3 ; stinging-insect undesignated, 1 ; butterflies, 6 ; moths and their larvæ, 24 ; beetles and their larvæ, 11 ; gnats, 10 ; fleas, 6 ; brize-flies, 2 ; bots, 1 ; blow-flies, 16 ; flies, 22 ; sheep-tick, 1 ; louse, 8 ; cricket, 4 ; locust, 1 ; grasshopper, 1 ; spiders, 17 ; scorpions, 3. Grouped according to orders these would give : Hymenoptera, 35 ; Lepidoptera, 30 ; Diptera, 58 ; Coleoptera, 11 ; Hemiptera, 7 ; Orthoptera, 6 ; Arachnida, 20. The references which I discovered are thus distributed : The highest numbers are in Troilus and Cressida, 11 notices referring to 9 species ; Romeo and Juliet, 11 notices referring to 8 species ; and 2nd Part of K. Henry VI., 10 notices referring to 6 species. Midsummer Night's Dream, K. Henry V., Cymbeline, and King Lear have 8 notices each ; 1st Part of K. Henry IV. and Hamlet have 7 each ; The Tempest, 2nd Part of K. Henry IV., Coriolanus, Antony and Cleopatra, Titus Andronicus and Othello have each 6 notices ; The Winter's Tale has 5 ; The Merchant of Venice, Taming of the Shrew ; 3rd Part of K. Henry VI., and Pericles Prince of Tyre have 4 each ; The Two Gentlemen of Verona, Love's Labour's Lost, King John and 1st Part of K. Henry VI. have 3 each ; Merry Wives of Windsor, Comedy of Errors, Macbeth, King Richard II. and Julius Cæsar have 2 each ; Measure for Measure, As you like it, All's well that ends well, King Richard III., King Henry VIII. and Timon of Athens have each a solitary reference ; and in Much ado about nothing I could find none. The number of species mentioned is over 30. We will take them according to orders.

HYMENOPTERA.—Shakespeare's ideas of the honey-bee seem to have been somewhat confused. He was misled probably by the old-world learning newly revived in his day; and, in his allusions to the "magnanimous leaders, the manners and employments, the tribes and battles of the race," he seems to have followed in the footsteps of Virgil (Georgics, Book IV.), or of writers who were acquainted with Virgil. His Archbishop of Canterbury in King Henry V. speaks of the head of the hive as a "King." The passage in which this occurs is very fine; and I am tempted to give it in its entirety.

——So work the honey-bees;
Creatures, that, by a rule in nature, teach
The act of order to a peopled kingdom.
They have a king, and officers of sorts:
Where some, like magistrates, correct at home:
Others, like merchants, venture trade abroad;
Others, like soldiers, armed in their stings
Make boot upon the summer's velvet buds;
Which pillage they with merry march bring home
To the tent-royal of their emperor:
Who, busied in his majesty, surveys
The singing masons building roofs of gold;
The civil citizens kneading up the honey;
The poor mechanic porters crowding in
Their heavy burdens at his narrow gate;
The sad ey'd justice, with his surly hum,
Delivering o'er to executor's pale
The lazy yawning drone.

Act I. sc. 1.

It would seem too that the strange story told by Virgil—how Aristæus, son of Cyrene, sacrificed cattle and left the carcases exposed till, "wondrous to relate, bees through all the belly hum amidst the putrid bowels of the cattle, pour forth with fermenting juices from the burst sides, and in immense clouds roll along, then swarm together on a top of a tree and hang down from the bending boughs" (Georgics, Bk. IV.)—had left an impression upon his mind, for he puts in the mouth of King Henry IV., who is lamenting the behaviour of Prince Henry of Monmouth, the words:

'Tis seldom when the bee doth leave the comb
In the dead carrion.

Act IV., sc. 4.

His observations of the bees however were, in many points, correct. He noticed that they "gather'd honey from the weed" (Henry V., Act IV., sc. 1); that they took "toll from every flower" (2nd Part K. Henry IV., Act IV., sc. 4); that "drones" rob the hives (Pericles, Prince of Tyre, Act II., sc. 1; Merchant of Venice, Act II., sc. 5; 2nd Part K. Henry VI., Act IV., sc. 1); that the wasps steal the honey and kills the bees (Two Gent. of Verona, Act I., sc. 2, and Titus Andronicus, Act II., sc. 3); that the swarm deprived of its leader becomes vindictive:

The commons like an angry hive of bees
That want their leader, scatter up and down
And care not who they sting in his revenge.

2nd Part K. Henry VI., Act III., sc. 2.

With the methods pursued by the bee-masters of his day he was acquainted. Bolingbroke says:

——like the bee tolling from every flower the virtuous sweets,
Our thighs pack'd with wax, our mouths with honey
We bring it to the hive; and like the bees
Are murder'd for our pains.

2nd Part K. Henry IV., Act IV., sc. 4.

And Talbot in 1st Part of K. Henry VI., Act I., sc. 5:

So bees with smoke and doves with noisome stench
Are from their hives and houses driven away.

The "Red-hipped humble-bee" of Shakespeare is *Bombus lapidarius*. T is

species makes its nest very commonly under stone-piles by the road-side. It is a handsome and courageous insect; and Nick Bottom the Weaver gave the fairy Cobweb no light task when he bade him:

> Monsieur Cobweb; good monsieur, get your weapons in your hand; and kill me a red-hipped humble-bee on the top of a thistle; and good monsieur, bring me the honey-bag.
> Midsummer Night's Dream, Act IV., sc. 1.

It is to be hoped that Oberon interposed in behalf of the bee, for

> Full merrily the humble-bee doth sing
> Till he hath lost his honey and his sting;
> And being once subdued in armed tail
> Sweet honey and sweet notes together fail.
> Ibid, Act V., sc. 2.

Other passages in which bees are mentioned are The Tempest, Act I., sc. 2, and Act V., sc. 1; Midsummer Night's Dream, Act III., sc. 1, Love's labour's lost, Act III., sc. 1; All's well that ends well, Act IV., sc. 5; Comedy of Errors, Act II., sc. 1; 2nd Part K. Henry VI., Act IV., sc. 2; Troilus and Cressida, Act I., sc. 3, Act II., sc. 2, and Act V., sc. 2; Cymbeline, Act III., sc. 2; and Titus Andronicus, Act IV., sc. 1.

Shakespeare's allusions to the Wasp (*Vespa vulgaris*) convey the ideas of:

(1) *Petulance*—Tempest, Act V., sc. 1:

> Mar's hot minion is returned again
> Her waspish-headed son has broke his arrows.

See also Winter's Tale, Act I., sc. 2; 1st Part K. Henry IV., Act I., sc. 3; and Julius Cæsar, Act IV., sc., 3.

(2) *Injustice*—Two Gentlemen of Verona, Act I., sc. 2:

> O hateful hands to tear such loving words
> Injurious wasps! to feed on such sweet honey,
> And kill the bees that yield it, with your stings.

(3) *Vengeance*—Titus Andronicus, Act II., sc. 3:

> ——When you have the honey you desire
> Let not this wasp outlive, us both to sting.

In the 3rd Part of K. Henry VI., Act II., sc. 6, it is said of the defeated Lancastrians:

> For though they cannot greatly sting to hurt,
> Yet look to have them buz to offend thine ears.

The commonest species of English ants is Formica rufa. This probably is the species mentioned in 1st Part of K. Henry IV., Act I., sc. 3 by Hotspur:

> Why, look you, I am whipp'd and scourg'd with rods,
> Nettled and stung with pismires.

Among the "skimble-skamble stuff" that angered Hotspur was Glendower's talk of "the moldwarp and the ant" (Ib. Act III., sc. 1). The ant also is mentioned in King Lear, Act II., sc. 4.

Lepidoptera.—To butterflies there are but few references in Shakespeare, but the few shew that the great dramatist had closely observed these beautiful objects. He knew of their metamorphoses, and says:

> ——There is a difference between a grub and a butterfly, yet your butterfly was but a grub.
> Coriolanus, Act V., sc. 5.

In his choice of an adjective to describe their wings he could not have found a more appropriate word than he has in

> ——Men like butterflies
> Shew not their mealy wings, but to the summer.
> Troilus and Cressida, Act III., sc. 3.

There is a charming suggestion of the shape of the butterfly's wings in Midsummer Night's Dream, Act II., sc. 1, where Titania bids the fairies:

——Pluck the wings from painted butterflies
To fan the moon-beams from the sleeping eyes.

(of the strange being with whom she is enamoured).

An adjective that Shakespeare applies on two occasions to the butterfly is "gilded":

And laugh at gilded butterflies.
King Lear, Act V., sc. 2.
I saw him run after a gilded butterfly.
Coriolanus, Act I., sc. 3.

What particular species he is alluding to in these passages we cannot tell—probably to one of the Fritillaries, and possibly to the "High Brown" (*Argynnis adippe*). In connection with this insect Morris writes:—"It has been well observed that all the best and highest enjoyments of man are those which, coming as they do direct from the bounteous hand of the Omnipotent himself, are not purchasable with money or any other human commodity. Every aspect under which nature is viewed throws light upon this remark and gilds it with the unmistakable lustre of truth." The under side of the hind-wings of Adippe are gorgeous with their large silver spangles and their rusty red spots. The combination of these as the insect flutters by certainly gives the idea of gilding. Other adjectives used by Shakespeare in relation to butterflies are "painted" (as above), and "summer" (Coriolanus, Act IV., sc. 6), both appropriate enough.

To moths and their larvæ we find many allusions. The canker-worm especially afforded the poet many apt and beautiful comparisons. Several of these refer to love. Who is not familiar with the words of Viola in Twelfth Night telling of the effect of unrequited love upon health:

——She never told her love
But let concealment, like a worm i' the bud
Feed on her damask cheek.
Act II., sc. 4.

There is wisdom quaintly expressed in the advice given by the suspicious Laertes to his sister:

The chariest maid is prodigal enough,
If she unmask her beauty to the moon:
Virtue itself 'scapes not calumnious strokes:
The canker galls the infants of the spring,
Too oft before their buttons be disclosed;
And in the morn and liquid dew of youth
Contagious blastments are most imminent.
Hamlet, Act I., sc. 3.

In the Two Gentlemen of Verona we have a playful conversation upon the effect of love upon the understanding:

Valentine.—Love is your master, for he masters you:
And he that is so yoked by a fool,
Methinks should not be chronicled for wise.
Proteus.—Yet writers say, As in the sweetest bud
The eating canker dwells, so eating love
Inhabits in the finest wits of all.
Valentine.—And writers say, As the most forward bud
Is eaten by the canker ere it blow,
Even so by love the young and tender wit
Is turn'd to folly; blasting in the bud,
Losing his verdure even in the prime,
And all the fair effects of future hopes.

In another passage beautiful and pathetic "grief" is the canker. The unhappy Constance speaks of her little son Arthur, who is in the toils of his wicked uncle John:

But now will canker sorrow eat my bud
And chase the native beauty from his cheek.
King John, Act III., sc. 4.

In the 2nd Part of K. Henry VI. (Act I., sc. 2) the canker is "ambition." The Duke of Gloster, replying to his wife, says:

> O Nell, sweet Nell, if thou dost love thy lord,
> Banish the canker of ambitious thoughts.

In another part of the same play (Act III., sc. 1) it is *disappointment*. The unfortunate Henry exclaims, when ill news comes from France:

> Thus are my blossoms blasted in the bud
> And caterpillars eat my leaves away.

In Hamlet it is overwrought feeling. The gentle Ophelia, mourning for the strange behaviour of her lover, says (Act III., sc. 1):

> And I, of ladies most deject and wretched,
> That suck'd the honey of his music vows,
> Now see that noble and most sovereign reason,
> Like sweet bells jangled, out of tune and harsh
> That unmatched form and feature of blown youth,
> Blasted with ecstasy.

And in Romeo and Juliet it is death:

> Two such opposed foes encamp them still
> In man as well as herbs, grace and rude will;
> And, where the worser is predominant,
> Full soon the canker death eats up the plant.

Other passages in which reference to the canker is made are Midsummer Night's Dream, Act III, sc. 2: 2nd Part of K. Henry IV., Act II., sc. 2, and Act IV., sc. 4; 1st Part of K. Henry VI., Act II., sc. 5: Coriolanus, Act IV., sc. 6; Romeo and Juliet, Act I., sc. 1.

In England the larva of one of the plume moths, *Pterophorus rhododactylus*, feeds in the buds of the rose. There is a variety of small moths that infest the blossoms, leaves and young shoots of the Queen of Flowers. Among them are:

Geometrina.	Tortricina.	Tineina.
Articlea badiata.	*Antithesia ochrodeucana.*	*Lampronia quadripunctella.*
" *derivata.*	*Pardia tripunctana.*	*Coleophora gryphipennella.*
Cidaria psittacata.	*Spilonota roborana.*	
" *fulvata.*	" *rosaecolana.*	
	Hedya pauperana.	
	Crocsia lerchenauniana.	
	" *holmiana.*	
	Peronea variegana.	

Of larvæ that feed upon the flower-buds of the apple, one of the most destructive is that of the Figure of Eight Moth (*Diloba cæruleocephala*), one of the Bombyces. This insect is so destructive that it was called by Linnæus, the "Pest of Pomona." The larvæ of the Winter Moth (*Cheimatobia brumata*) are also very injurious. Immediately after they are hatched they make their way to the unopened buds and burrow in them, concealing themselves from sight. The Green Pug (*Eupithecia rectangulata*) is another objectionable insect:—"The larva feeding in the young buds of the apple-trees, devouring the stamens and pistils, and protecting itself by tying together the petals" (*Stainton's Manual*, Vol. II., p. 92). By the caterpillars of a tiny moth *Hyponomeuta padellus*, belonging to the Tineina, the apple-trees are not unfrequently entirely stripped of their foliage. Besides the insects already named, at least 15 species, belonging to the groups Tortricina and Tineina, infest the English orchards.

In King Richard II., by a striking metaphor England is represented as a disordered garden, over-run with caterpillars (Act III., sc. 4). Twice the word "caterpillar" is used by Shakespeare as one of contempt; in 1st Part of K. Henry IV., Act II., sc. 2, and in 2nd Part of K. Henry VI., Act IV., sc. 4.

I find the word "moth" used three times: In the *Merchant of Venice*, "Thus has the candle singed the moth," Act II., sc. 9; in *Othello* where Desde-

mona speaks of herself as a "moth of peace," Act I., sc. 3; and in *Coriolanus*, "You would be another Penelope, yet they say all the yarn she spun, in Ulysses' absence, did but fill Ithaca full of moths," Act I., sc. 4, The reference in this last passage is probably to the tapestry moth, *Tinea tapetzella*.

DIPTERA.—The most numerous of Shakespeare's entomological allusions are to the two-winged flies. As a fitting image of littleness and meanness he makes use of the gnat, as where Simonides says that princes who are not given to hospitality:

> Are like to gnats which make a sound, but killed,
> Are wondered at.
> Pericles, Prince of Tyre, Act II., sc. 3.

And where Biron mocking at the love-sick King of Navarre:

> O me, with what strict patience have I sat
> To see a king transformed to a gnat.
> Love's labour's lost, Act IV., sc. 3.

But the diminutive is used with much feeling and affection, where Imogen, speaking of the departure of her banished lord, says:

> I would have broke my eye-strings; crack'd them, but
> To look upon him; till the diminution
> Of space had pointed him sharp as my needle,
> Nay, follow'd him, till he had melted from
> The smallness of a gnat to air.
> "Cymbeline," Act I., sc. 4.

There is knowledge both of human nature and of natural history, in the rebuke which Antipholus of Syracuse administered to Dromio of Syracuse.

> Because that I familiarly sometimes
> Do use you for my fool, and chat with you,
> Your sauciness will jest upon my love,
> And make a common of my serious hours.
> When the sun shines, let foolish gnats make sport,
> But creep in crannies, when he hides his beams.
> Comedy of Errors, Act II., sc. 2.

The Flea (*Pulex irritans*) is spoken of in at any rate seven passages:—"Henry V.," Act II., sc. 3, and Act III., sc. 7; "Merry Wives of Windsor," Act IV.," sc. 2; "Twelfth Night," Act III., sc. 4; "All's Well that Ends Well," Act IV., sc. 3; "Taming the Shrew," Act V., sc. 3, and 1st Part K. Henry IV., Act II., sc. 1; always in a trifling sense.

Shakespeare's allusions to the breeze-fly or gad-fly of the ox (*Tabanus bovinus*) are forcible. In Troilus and Cressida Nestor, replying to Agamemnon, to illustrate the difference between "valour's show" and "valour's worth," says that in Fortune's

> —— ray and brightness
> The herd hath more annoyance by the brize
> Than by the tiger; but when the splitting wind
> Makes flexible the knees of knotted oaks,
> And flies flee under shade, why then the thing of courage
> As rous'd with rage, with rage doth sympathize.
> Act I., sc. 3.

And in Antony and Cleopatra, Scarus cries out against the Egyptian Queen who was hastening from the fight off Actium:

> Yon ribald-rid nag of Egypt
> . . . . . .
> The brize upon her like a cow in June
> Hoists sails and flies.

Of the many allusions to flies made by Shakespeare, some are used in a slighting and contemptuous sense, as when Timon of Athens calls his false friends

> Most smiling, smooth, detested parasites,
> Courteous destroyers, affable wolves, meek bears,
> You fools of fortune, trencher friends, time's flies,
> Act III., sc. 6.

Or when La Pucelle says of the dead Talbot, whom Sir W. Lucy had enquired for under many sounding titles:

> Here is a silly, stately style indeed!
> The Turk, that two and fifty kingdoms hath,
> Writes not so tedious a style as this. —
> Him, that thou magnifiest, with all these titles,
> Stinking, and fly-blown, lies here at our feet.
> 1st Part of K. Henry VI., Act IV., sc. 7.

Occasionally the references are made vindictively, as when Iago exclaims:

> ——"Call upon her father.
> Rouse him; make after him, poison his delight,
> Proclaim him on the streets, incense her kinsmen,
> And though he in a fertile climate dwells,
> Plague him with flies."
> Othello, Act I, sc. 1.

At one time the fecundity of flies in hot weather, affords the poet an apt simile to denote the fickle populace:

> Impairing Henry, strength'ning, mis-proud York,
> The common people swarm like summer-flies;
> And whither fly the gnats but to the sun?
> And who shines now, but Henry's enemies?
> 3rd Part of K. Henry VI., Act II., sc. 6.

At another it serves to indicate excessive conceit. Biron says of "figures fantastical:"

> —— These summer flies
> Have blown me full of maggot ostentation.
> Love's Labour's Lost, Act V., sc. 2.

Often the allusion has a tragic ring, as when poor blinded Gloster cries in his despair:

> As flies to wanton boys are we to the gods;
> They kill us for their sport.
> King Lear, Act IV., sc. 1.

And when, in Cymbeline Sicilius Leonatus, addressing Jupiter, says:

> No more thou thunder-master show
> Thy spite on mortal flies.
> Act V., sc. 4.

Among the references to flies are two that show how closely Shakespeare had observed these insects. In K. Henry V., Act V., sc. 1, he places in the mouth of the Duke of Burgundy the words:

> Like flies at Bartholomew-tide, blind, though
> They have their eyes; and then they will endure handling,
> Which before would not abide looking on.

St. Bartholemew's day comes on the 24th of August; under the old style it would be September 4th, when the flies in the cool English autumn would be growing dull and sluggish. But an allusion shewing more close attention even than that is found in Othello, Act IV., sc. 2.

> ——O, ay, as summer flies are in the shambles,
> That quicken even in blowing.

It is not every one who knows that the flesh-fly, *Sarcophaga carnaria* is ovo-viviparous; but Shakespeare knew it.

The sheep-tick, *Melophagus ovinus* is mentioned once in the plays.

> —— I would rather be a tick in a sheep than such a valiant ignorance.
> Troilus and Cressida, Act III., sc. 3.

Other references to flies will be found in The Tempest, Act III., sc. 2; As You Like It, Act IV., sc. 1; Winter's Tale, Act IV., sc. 3; King John, Act IV., sc. 1; 2nd Part K. Henry IV. Act III., sc. 1; 2nd Part of K. Henry VI., Act I., sc. 2; Troilus and Cressida, Act II., sc. 3; Antony and Cleopatra, Act II., sc. 2 and Act III., sc. 2. Cymbeline, Act IV., sc. 2; Titus Andronicus, Act III., sc. 2, and Act V., sc. 2; Pericles, Prince of Tyre, Act IV., sc. 1, and Act IV., sc. 4;

King Lear, Act IV., sc. 6; Romeo and Juliet, Act II., sc. 3, and Act II., sc. 4; Hamlet, Act II., sc. 2, Act IV., sc. 3, Act V., sc. 1, and Act V., sc. 2, and Titus Andronicus, Act IV., sc. 1.

COLEOPTERA.—Shakespeare's allusions to beetles are very fine and telling. What can be more so than this:

Ere to black Hecate's summons
The shard-borne beetle with his drowsy hum
Hath rung night's yawning peal, there shall be done
A deed of dreadful note.
Macbeth, Act III., sc. 4.

The expression "shard-borne," is not quite correct. The elytra of the beetle are uplifted during flight, it is true; but the gauzy wings that ply beneath them are the sustaining and propelling instruments. What particular species of beetle (if any), Shakespeare had in his mind when he penned these words we cannot tell. The Dor-beetle, *Geotrupes stercorarius*, is a striking object, and flies in the dusk, and may have attracted his attention.

Scarcely less beautiful than the reference given above, is that to *Lampyris noctiluca*:

The glow-worm shews the matin to be near
And 'gins to pale his ineffectual fire.
Ibid, Act I, sc. 1.

Another fine passage is found in Measure for Measure, Act III., sc. 1.

—— Dar'st thou die?
The sense of death is most in apprehension;
And the poor beetle, that we tread upon,
In corporal sufferance finds a pang as great
As when a giant dies.

Here, of course the intention is not to give an increased idea of the pains of the beetle, but to make us think less of the death-throes of the giant—the giant suffers as little as the beetle.

What a conception of depth is conveyed to us in the words:

—— How fearful
And dizzy 'tis to cast one's eyes so low!
The crows and choughs that wing the midway air
Show scarce so gross as beetles.
King Lear, Act IV., sc. 6

By Caliban in The Tempest, Act I., sc. 2, and by the fairies in Midsummer Night's Dream, beetles are spoken of as things to be dreaded.

In the 2nd Part of King Henry IV., Act II., sc. 4, there is a very curious metaphor:

His face is Lucifer's privy kitchen,
Where he doth nothing but roast malt-worms.

The malt-worms are the larvæ of *Tenebrio molitor* and *Tenebrio obscurus*.

Other references to beetles will be found in Midsummer Night's Dream, Act III., sc. 1; Taming of the Shrew, Act IV., sc. 1; Antony and Cleopatra, Act III., sc. 2; and Cymbeline, Act III., sc. 3.

HEMIPTERA.—In the Merry Wives of Windsor, Act I., sc. 1, is an amusing play upon the word "luce." Slender exalting Robert Shallow, "Justice of the Peace and *coram*," and "*cust-alorum*," and "*ratolorum*," and "*armigero*," says:

All his successors, gone before him, have done 't; and all his ancestors that come after him, may; they may give the dozen white luces in their coat.

To which Sir Hugh Evans, the Welsh chaplain replies:

The dozen white louses do become an old coat well, it agrees well passant; it is a familiar beast to man, and signifies—love.

The passage shews that Shakespeare had not forgotten his early escapade, and angry slur upon Sir Thomas Lucy of Charlecote:

If lousy is lucy, as some folks miscall it,
Then Lucy is lousy whatever befall it.

The "luce" is, of course, the fleur-de-lis, or flower-de-luce, and the "coat," Robert Shallow's coat of arms. In the association of the "familiar beast," with "love," we are reminded of the "lousy and lecherous" of one of our modern ballad-writers.

Shakespeare makes at least eight allusions to the louse. One of them conveys the strongest expression of contempt that can possibly be imagined: "I care not to be the louse of a lazar." (*i. e.* of a man afflicted with loathsome diseases). Troilus and Cressida, Act V., sc. 1.

ORTHOPTERA.—"Shall we be merry?" asks Prince Henry in 1st Part of K. Henry IV., Act II., sc. 4. "As merry as crickets," answers Poins. The cheerful note of the cricket (*Acheta domestica*), produced by the rubbing together of the notched edges of the insect's upper wings, must have been a familiar sound to Shakespeare. When all is quiet around the hearth the note arises in many an English dwelling. But a very slight noise will startle the insect, and cause a cessation of its music. So the little Mamillius in a Winter's Tale, says that he will tell his story *so softly*, that "yon crickets shall not hear it," Act II., sc. 1.

Amongst the equipments of Queen Mab is a "whip of cricket bone." Romeo and Juliet, Act I., sc. 4. The "winter cricket" is spoken of in the Taming of the Shrew, Act IV., sc. 3.

I find but one allusion to locusts—that made by Iago when speaking of Othello and his countrymen.

> These Moors are changeable in their wills:—fill thy purse with money; the food that to him now is as luscious as locusts, shall be to him shortly as bitter as coloquintida.—Othello, Act I, sc. 3.

The species mentioned here is doubtless *Œdipoda migratorius*, which often visits Morocco, and is used for food.

The grasshopper is mentioned in Romeo and Juliet Act I., sc. 4, where the cover of Queen Mab's wagon is said to be made of the wings of grasshoppers.

ARACHNIDA.—In the Merchant of Venice we have an instance of the skill with which the great poet could draw, even from the work of a disgusting insect, a fitting illustration to enhance the attractions of an admired lady.

> —— Here, in her hair,
> The painter plays the spider, and hath woven
> A golden mesh, to entrap the hearts of men,
> Faster than gnats in cobwebs.
> Act III., sc. 2.

A different kind of weaving is spoken of in the 2nd Part of K. Henry VI., Act III., sc. 1:

> My brain more busy than the labouring spider
> Weaves tedious snares to trap mine enemies.

And in Othello, Act II., sc. 1, where Iago says to himself,

> With as little a web as this
> Will I ensnare as great a fly as Cassio.

And yet again in K. Henry VIII., Act I., sc. 1, where it is said of Wolsey:

> —— Spider-like
> Out of his self-drawing web, he gives us note
> The force of his own merit makes his way.

With wonderful effect Shakespeare makes use of the Spider in shewing the power of imagination.

> There may be in the cup
> A spider steep'd, and one may drink, depart,
> And yet partake no venom; for his knowledge
> Is not infected: but if one present
> The abhorred ingredient to his eye, make known
> How he hath drank, he cracks his gorge, his sides,
> With violent hefts:—I have drunk and seen the spider.
> Winter's Tale, Act II., sc. 1.

In Troilus and Cressida, Act V., sc. 2, is a reference to Arachne. Arachne, according to the ancients, was the daughter of Idmon, a Lydian. She was a skilful spinner, and contended with Pallas. Defeated and chagrined, she hanged herself, and was turned into a spider.

In King John, Act IV., sc. 3, Hubert suspected of murdering Prince Arthur, is told that

> The smallest thread,
> That ever spider twisted from her womb,
> Will serve to strangle thee.

Other passages referring to spiders may be found in Midsummer Night's Dream, Act II., sc. 3; King Richard II., Act III., sc. 2; King Richard III., Act I., sc. 2, and Act II., sc. 4; Cymbeline, Act IV., sc. 2; King Lear, Act IV., sc. 6; Romeo and Juliet, Act I. sc. 4, and Act II., sc. 6.

Scorpions are spoken of in Macbeth, Act III., sc. 4; 2nd Part of K. Henry VI., Act III., sc. 2; and Cymbeline, Act V., sc. 5.

It is evident that Shakespeare, in his walks around Stratford and on the pleasant banks of Avon, had found food for reflection in the appearances and habits of the commoner insect tribes. His were the observing eye and the contemplative mind; and with marvellous power he turned the knowledge of insect-life that he acquired to account, for the instruction and amusement of the men of his own day, and of after generations. He was one who could find

> Tongues in trees, books in the running brooks,
> Sermons in stones, and good in everything.

And we are happy in that he has, in so many instances, interpreted these tongues, translated these books, written down the sermons and pointed out the good for us.

Enemies of the Grain Aphis.—Prof. H. Garman, Entomologist and Botanist of the Kentucky Agricultural Experiment Station, in a paper on the grain louse (Siphonophora avenæ) has the following to say about its natural enemies:

The helplessness of plant lice makes them the prey of many predaceous and parasitic insects. A visit to infested wheat fields in June showed great numbers of these present among the lice. Undoubtedly the injury to grain was very much lessened by the work of these friends of ours, yet, as we have shown, lice still exist in the fields, and they are liable again to assume destructive numbers.

Chief among the enemies of the grain louse are certain small, dark-coloured, four-winged flies, which belong to the same order as the common honey bee. These little flies deposit their eggs in the bodies of the plant lice, placing a single egg in each louse, and from the eggs come small grubs which live in the interior of their host, finally emerging after its death as egg-laying flies. Grain lice infested with these grubs become swollen, assume a brown colour, and by some means are fastened to the plants, where they remain as empty skins after the parasite emerges.

Small two-winged flies, about five-sixteenths of an inch long, with brassy brown thorax, and with the abdomen striped crosswise with black and yellow, also do good service in destroying the lice. They scatter their eggs among the colonies, and from these hatch greenish larvæ, which destroy the lice by seizing them and sucking their juices.

The lady bugs in both larval and adult stages devour the lice bodily. Several species of these beetles were common in the fields, but the most conspicuous from

size and abundance, was the nine-spotted lady bug (*Coccinella 9-notata*). It may be recognized by the arrangement of the nine black spots on the brown wing covers—four on each side, the ninth just behind the thorax and overlying the middle line. It is very nearly a half sphere in shape. The other species are like it in general shape, but differ in details of colour and markings. A small list of other insects which do more or less good in destroying the aphides could be given, but this will suffice to give an idea of the more abundant and useful of our insect friends.

Birds have been thought to destroy the lice, but I have seen no evidence of their doing so. Most birds depend on larger insects, and it is only occasionally that the small species, such as warblers, eat plant lice of any kind. Excepting the Maryland yellow-throat, birds of this family rarely occur in our grain fields, so that we can hope nothing from their help. The English sparrow, with its clumsy beak and grain-eating propensity, certainly does no good in this direction.

Experiments with Arsenites.—In the Bulletin of the Iowa Agricultural Experiment Station for August, 1890, Prof. Gillette gives an elaborate and interesting account of a series of experiments that he carried out for the purpose of testing the use of arsenites in the warfare against noxious insects.

"Paris green, he says, was brought into prominence as an insecticide for the first time in this country in 1869, and London purple in 1877. Arsenious acid (white arsenic) was successfully used for the destruction of the Canker-worm as early as 1875 and is still frequently recommended for the destruction of insects. During these years the arsenites have arisen to the first rank as insect destroyers. They have been largely experimented with by entomologists and widely used by farmers and fruit-growers, and yet there is much difference of opinion as to the proportions in which each may by safely applied to different plants for the destruction of insects. In fact a serious obstacle in the way of a more free and successful use of the arsenites has been their liability to injure tender foliage, even when applied very dilute. In the experiments of the past two seasons, herein reported, I have given much attention to the finding of some method of applying these poisons so as to prevent injury to foliage without lessening their effectiveness in destroying insect life, and the success met with in this direction has been most gratifying. I also give the results of experiments to determine relative injuries to foliage from applications of the arsenites when freshly mixed and when allowed to stand a few days before being applied; to show the effect upon foliage by adding paste or soap to arsenical mixtures; to show the effects of sun, dew and rain upon foliage treated with arsenical mixtures; to show whether or not it is practical and safe, so far as injury to the plant is concerned, to mix the arsenites with insecticides that kill by external contact; and to show the effects of combining the arsenites with fungicides."

After giving a detailed account of his various experiments, he arrives at the following conclusions:—

"*1. The oldest leaves are most susceptible to injury from arsenical applications. They often turn yellow and drop without showing the burnt spotted appearance.**

2. Dews, and probably direct sunlight, increase the injuries done by the arsenites to foliage.

* I have put in italics three conclusions that seem to me to be well proven from the experiments here reported. Concerning the others there is some doubt, and further experiments are necessary to determine positively the facts.

3. Leaves kept perfectly dry can hardly be injured by the arsenites, even when they are applied very abundantly.

4. Applications made in the heat of the day and in the bright sunlight do not injure foliage more than when applied in the cool of the day.

5. The only effect of a heavy rain or dashing shower following an application of one of the arsenites is to lessen the injury to foliage.

6. Leaves suffering from a fungous disease are more susceptible to injury than are healthy leaves.

7. When freshly mixed and applied, London purple is most and white arsenic is least injurious to foliage.

8. White arsenic in solution should not be used upon foliage without first adding lime, Bordeaux mixture or some other substance to prevent its injurious effects upon foliage.

9. White arsenic, if allowed to stand many days in water before being applied, will do far greater harm to foliage than if applied as soon as mixed

10. Lime added to London purple or Paris green in water greatly lessens the injury that these poisons would otherwise do to foliage.

11. Lime added to a mixture of white arsenic in water will greatly increase the injury that this poison would otherwise do to foliage. If the arsenic is all in solution, the lime will then lessen the injury, as in the case of London purple or Paris green.

12. London purple (Paris green and white arsenic have not yet been tried) can be used, at least, eight or ten times as strong without injury to foliage if applied in common Bordeaux mixture instead of water.

13. The arsenites cannot by any ordinary method be successfully mixed in a kerosene emulsion.

14. The arsenites mix readily in resin compounds and do not seem to be more injurious to foliage than as ordinarily applied in water.

15. The arsenites in strong soapy mixtures do considerably more damage to foliage than when applied in water only.

16. The arsenites mix readily in carbonate of copper solution and do not seem to do more harm than when applied in water only.

17. London purple in sulphate of copper solution does vastly more harm than when applied in water only.

Honey Bees and Arsenicals used as Sprays.—Mr. H. O. Kruschke, of Juneau county, Wisconsin, in the *American Garden* for January, 1890, p. 57, warns prospective sprayers that the first man caught applying arsenic to trees in full bloom will be prosecuted—reasoning that the spraying of such trees will result in the storage by the bees of poisoned honey, the consumption of which will be dangerous.

In our Report for last year, (1889, page 87) we quoted from *Insect Life* an account from Prof. Webster of the spraying of fruit trees without any ill results to either bees or honey. "The prevailing belief," says *Insect Life*, "is, however, the other way, and cases are on record where serious destruction of bees has resulted from spraying. In the case of the apple, particularly, the application should not be made until the bloom has begun to fall, when no injury will be

likely to result. It was because of the possibility of danger that in the beginning we were very slow to recommend the wholesale spraying of orchards with the arsenical mixtures, but experience has shown here, as in other cases, judicious and cautious use is attended only with benefit, and that the possible harm is reduced to such a minimum as to almost justify its being left out of consideration."

Ant Hills and Slugs.—I have resorted to many expedients to get rid of the ant hills that disfigure my lawn and sometimes seriously injure plants and shrubs, and have finally succeeded in conquering them. I first hive them,—break up the nest pretty thoroughly and if it is near the roots of a plant draw as much of the débris as possible a little way from it and turn over it a large plant jar. The ants will promptly appropriate the jar, remove their larvæ to it, and fill it with pellets of earth. I then drench this with kerosene emulsion reduced to a strength of 2 to 3 per cent., which will kill every ant thoroughly drenched with it. It is more destructive to them than pure kerosene, which does not adhere to them. In this way I have thoroughly conquered the ants.

The rose slug and the currant worm I keep completely under by use of hellebore, a tablespoonful to a gallon of water, and forcing it violently among the foliage with a hydropult. Commencing in the spring before I can find a slug or a worm, and repeating the drenching once a week for three or four weeks, I can destroy them completely before they do any damage. On one hundred roses I was able this spring to find only two slugs, while the foliage of some common sorts I did not spray was completely destroyed.—[M. C. Read, Hudson, Ohio, n *Insect Life.*

Good Insectivorous Birds.—The following birds are to be classed among the most helpful kinds in the general warfare against insects: Robins, for cut and other earth worms. Swallows, night-hawks and purple martins, for moth catchers. Pewees, for striped cucumber bugs. Wood thrushes and wrens, for cut worms. Cat birds, for tent caterpillars. Meadow larks, crows and woodpeckers, for wireworms. Blue-throated buntings, for canker worms. Black, red-winged birds, jays, pigeons, doves, and chippies—strawberry pests. Quail, for chinch bugs and locusts. Whip-poor-wills, for moths. Hawks, all night birds, owls, tanagers, black-winged summer red birds, etc.—curculios. There may also be mentioned the following insect pest destroyers: Indigo birds, nut crackers, fly catchers, chimney swifts, chipping and song sparrows, black birds, mocking birds and orioles.

There is little doubt that for every bird which is injurious to fruit that is killed, there are a hundred killed that are beneficial. Of course the whole life of the bird must be considered, for very many are fruit eaters The only question is, does the bird, on the whole, do most damage or good?

The man who indiscriminately kills the birds in his orchard and berry patch is not fit to live, and he will surely lose more than he will gain even from a financial point of view.—*Prairie Farmer.*

Resistance to cold by a Caterpillar.—Mr. Otto Dugger, St. Anthony Park, Minn., gives in *Insect Life* the following instance of resistance to extreme cold by a caterpilar of the Dusky Spilosoma (*S. fuliginosa*, Linn):—"December 3, 1889. Found to-day in a little depression of the soil a clear cake of ice, and

imbedded in it the larva of the above species. By means of a hot iron I separated a cube of ice with the inclosed larva, and took it to my office. The caterpillar was entirely and solidly inclosed by the ice; no air-spaces could be detected among the hair. How long the caterpillar had been inclosed I could not say. Left the cube of ice in front of my window, where the temperature sunk for two days to 11° below zero. Later the weather moderated, and during the day a little ice would melt near the caterpillar, but never exposing it to the air. After being inclosed for fourteen days, I carefully melted the ice and removed the caterpillar to a piece of blotting paper. In less than thirty minutes the larva was crawling about, not injured in the least. Yet, to escape further experimentation, it has shown good sense and spun up, and transformed into a pupa, healthy to all appearances."

Saw-fly Borer in Wheat.—Prof. J. H. Comstock, Entomologist, Cornell University, Ithaca, N. Y., describes a new saw-fly working in wheat, known as Cephus pygmæus, order Hymenoptera, of the family Tenthredinidae as follows

An insect destructive to wheat, but previously unknown in this country, has appeared in considerable numbers on the Cornell University farm. I do not know of its occurrence anywhere else in this State; but as it is extremely abundant here, it is doubtless spread over a considerable area. It was first observed in this locality two years ago by one of our students, the late Mr. S. H. Crossman while making an investigation of wheat insects. Mr. Crossman's studies, however, were sadly terminated before he had carried his investigations of this species very far; and it has fallen to me to continue the work begun by him.

On examining the stalks of wheat at harvest time by splitting them throughout their length, it was found that some of them had been tunnelled by an insect larva. This larva had eaten a passage through each of the joints so that it could pass freely from one end of the cavity of the straw to the other. In addition to tunnelling the joints they had also fed more or less on the inner surface of the straw between the joints; and, scattered throughout the entire length of the cavity of the straw, except the smaller part near the head, were to be seen yellowish particles, the excrement of the insect.

If infested straws be examined a week or ten days before the ripening of the wheat, the cause of this injury can be found at work within them. It is at that time a yellowish, milky-white worm, varying in size from 1-5 inch (5 mm.) to ½ inch (12 mm.) in length. The smaller ones may not have bored through a single joint; while the larger ones will have tunnelled all of them, except, perhaps, the one next to the ground.

As the grain becomes ripe the larva works its way towards the ground, and at the time of the harvest the greater number of them have penetrated to the root. Here in the lowest part of the cavity of the straw they make preparations for passing the winter, and even for their escape from the straw the following year. This last is done by cutting the straw circularly on the inside, nearly severing it a short distance, varying from one-half inch to one inch from the ground. If the wheat were growing wild, the winter winds would cause the stalk to break off at this point, and thus the insect after it had reached the adult stage in the following year could easily escape; while but for this cut, it would be very liable to be imprisoned within the straw. But under ordinary circumstances the straw is cut by the reaper before it is broken off at this point, and consequently that breaking off does not occur. If, however, there is a strong wind just before the harvest and after the straws have been cut in this manner by the insects, they

are very liable to break off; the lodging of the grain may, therefore, be largely due to the injuries of this insect. In one field just before the harvest I observed a large number of isolated straws lying in a horizontal position; there was not the general breaking down of the grain characteristic of wind and rain; but distributed through the grain that was standing there was a large number of isolated straws that were lodged. A careful examination showed that this breaking down of the grain, in 45 per cent. of the cases, was directly due to the injuries of this insect. In many cases the straws had been broken off a considerable distance above the ground, and before the larva had made the characteristic circular cut near the root. An examination of these straws showed that the larva had eaten all, or nearly all, of the softer inner part of the straw for a short distance, thus making a weak place which was easily broken. As a rule, however, the larva obtains a greater part of its nourishment by tunnelling the joints of the straw and does not eat enough of the straw in any place to cause it to break until it makes the circular cut near the ground described above.

After the circular cut has been made, the larva fills the cavity of the straw just below it for a short distance with a plug of borings. Between this plug and the lower end of the cavity of the straw there is a place measuring about one-half inch in length (10 mm. to 15 mm.) It is here that the insect passes the winter. Immediately after cutting the straw and making this plug the larva makes a cocoon by lining the walls of this space with a layer of silk. This layer is thin but very firm and more or less parchment-like; it can, however, be broken with slight difficulty, being somewhat brittle.

Within this cocoon, which remains in the stubble after the grain is cut, the insect passes the winter, in the larval state. It changes to a pupa during March or April; and sometime during the month of May the adult insect appears.

The exact date of the appearance of the insect depends upon the nature of the weather. This year from pupæ collected on the 23rd of April and brought into the Insectary, the adults emerged from the 8th to the 10th of May; while the insects left in the fields were ten days later in emerging.

The adult insect is a four-winged fly belonging to the order *Hymenoptera*, the order that includes the bees, wasps and ants; and it is a member of the family *Tenthredinidae* of this order, a family comprising the insects commonly known as saw-flies. This popular name refers to the fact that in this family the female insects are furnished with a more or less saw-like organ. This arises near the caudal end of the body, and is the ovipositor. By means of it the insects are able to make incisions in the tissues of plants for the reception of their eggs.

In the *Canadian Entomologist*, 1890, p. 40, Mr. Harrington records the occurrence of this insect at Ottawa, Ont., and also at Buffalo, N. Y.

The Habits of a Ground-Hornet.—*Stizus speciosus* is the largest native ground-hornet, and its formidable appearance and great activity generally secure it undisputed possession of the square rod where it happens to alight. It is from an inch to an inch and one half in length; the head and thorax are brown and the abdomen is black with six irregular yellow blotches. These markings are discernible as it flies swiftly about its business and give it a particularly tiger like appearance. It seems to be afraid of nothing, and if you walk near its burrow it flies with a menacing buzz in circles about you, and its brown, black and yellow body gleams in the sunlight.

In constructing its burrows it usually selects a country road side or a dry barren hill, where a freedom from roots makes digging less laborious.

On the hill back of Richmond village, on Staten Island, I have seen them carrying heavy harvest flies to these burrows, several of which are dug there nearly every summer. The task of carrying so great a burden as a Cicada is a particularly laborious one, and they do not fly very fast when thus heavily laden. Sometimes they drag the harvest-flies a distance along the ground, and sometimes they resort to an ingenious method to finally get them to their burrows.

In August, 1889, I observed a Stizus carrying a Cicada and flying slowly up a hill side. It lit at the base of a black birch on the hill top, and dragged the harvest-fly, holding the smooth dorsal surface to the bark, to the topmost branches finally disappearing among the leaves. I did not see it leave the tree, for I was unable to command a view on all sides at the same time, and then there was a neighboring birch whose branches interlocked with the one where the hornet was. I satisfied myself that it did leave, by climbing up and violently shaking the branches and tree top. Stizus employs this method of transporting the heavy Cicada; it climbs the tree with the insect, and then flies from the branches, the excessive weight gradually bringing it to the ground again but nearer to its burrow.

Professor Morse, in his annual address before the American Association in 1887, notices the following:—Dr. Thomas Meehan describes a hornet that was gifted with great intelligence. He saw this insect struggling with a large locust in unsuccessful attempts to fly away with it. After several fruitless efforts to fly up from the ground with his victim, he finally dragged it fully thirty feet to a tree, to the top of which he laboriously ascended, still clinging to his burden, and having attained this elevated position he flew off in a horizontal direction with the locust."

Commenting upon this, Mr. C. G. Rockwood, jr., in Science for August 19th, 1887, gives an account of a large insect evidently of the wasp family, that carried a Cicada for a distance of twenty feet up a maple tree and then flew away with it as described above.

Wishing to ascertain the relative weights of these insects, I had dried specimens, including pins, weighed in a druggist's scales. *Cicada tibicen* weighed thirteen grains and *Stizus speciosus* seven and one half.—W. T. Davis, Tompkinsville, Staten Island, N. Y.

EXPERIMENTS FOR THE DESTRUCTION OF CHINCH BUGS.

BY PROF. F. H. SNOW, UNIVERSITY OF KANSAS, LAWRENCE.

These experiments have been continued through the two seasons of 1889 and 1890 and have been remarkably successful. As entomologist to the Kansas State Board of Agriculture I had prepared an article for the annual meeting of that Board in January, 1889, stating what was known at that time upon the subject, and calling attention to the investigations of Professors Forbes, Burrill and Lugger. In June, 1889, a letter was received from Dr. J. T Curtiss, of Dwight, Morris County, Kansas, announcing that one of the diseases mentioned in the article (Entomophthora) was raging in various fields in that region, and stating that in many places in fields of oats and wheat the ground was fairly white with the dead bugs. Some of these dead bugs were at once obtained and experiments were begun in the entomological laboratory of the University. It was found that living healthy bugs, when placed in the same jar with the dead

bugs from Morris County, were sickened and killed within ten days. A Lawrence newspaper reporter learning of this fact published the statement that any farmers who were troubled by chinch-bugs might easily destroy them from their entire farms by sending to me for some diseased bugs. This announcement was published all over the country, and in a few days I received applications from Agricultural Experiment Stations and farmers in nine different States, praying for a few "diseased and deceased" bugs with which to inoculate the destroying pests with a fatal disease. Some fifty packages were sent out during the season of 1889, and the results were in the main highly favorable. It was my belief that sick bugs would prove more serviceable in the dissemination of disease than dead bugs. I accordingly sent out a circular letter with each package, instructing the receiver to place the dead bugs in a jar for 48 hours, with from ten to twenty times as many live bugs from the field. In this way the disease would be communicated to the live bugs in the jar. These sick bugs being deposited in different portions of the field of experiment would communicate the disease more thoroughly while moving about among the healthy bugs by which they would be surrounded. This belief was corroborated by the results. This disease was successfully introduced from my laboratory into the States of Missouri, Nebraska, Indiana, Ohio and Minnesota, and into various counties of the State of Kansas. A report of my observations and experiments in 1889 has been published in the transactions of the Kansas Academy of Science, vol. XII., pp. 34-37, also in the report of the proceedings of the Annual Meeting of the Kansas State Board of Agriculture in January, 1890.

The next point to be attained was the preservation of the disease through the winter, in order that it might be under my control and be available for use in the season of 1890. To accomplish this result, I placed fresh healthy bugs in the infection jar late in November 1889, and was pleased to note that they contracted disease and died in the same way as in the earlier part of the season. I was not able to obtain fresh material for the purpose of testing the vitality of the disease germs in the spring of 1890, until the month of April, and then only a limited supply of live bugs could be secured. I quote the following from my laboratory notes:

April 10: twenty-five chinch-bugs that had hibernated in the field were put in the infection jars. They were supplied with young wheat plants. The bugs appeared lively and healthy.

April 16: some of the bugs were dead and all appeared stupid.

April 20: all of the bugs were dead.

One week later, a new supply of fourteen bugs was put into the jar; they were supplied with growing wheat. They ran substantially the same course as the first twenty-five. Some had died at the end of the first week and all were dead by the end of the thirteenth day.

The chinch-bug seemed to have been very generally exterminated in Kansas in 1889, and only three applications for diseased bugs were received in 1890 up to the middle of July. On account of the limited amount of infection material on hand, I required each applicant to send me a box of live bugs, which I placed in the infection jars, returning in a few days a portion of the sick bugs to the sender. The three applicants above noted reported the complete success of the experiments. I give the following letter from Mr. M. F. Mattocks, of Wauneta, Chautauqua County, Kansas:

Wauneta, Kansas, July 7, 1890.

Dear Sir:—I received from you a few days since, a box of diseased chinch-bugs. I treated them according to instructions, and I have watched them closely, and find that they have conveyed the disease almost all over my farm, and bugs are dying at a rapid rate. I have not found any dead bugs on farms adjoining me. I here enclose you a box of healthy bugs that I gathered 1½ miles from my place; I do not think they are diseased. Yours, M. F. Mattocks.

I also quote the following clipping from the Cedar Vale (Chautauqua Co.) *Star:*

INFECTING CHINCH-BUGS.—There is no longer any need of having our crops destroyed by chinch-bugs. A remedy that is sure as death and costs nothing, has been discovered and is used in this country with complete success. Mr. M.F. Mattocks, living a mile and a half east of Wauneta, on the H. P. Moser farm, is entitled to the credit of demonstrating in this part, the efficiency of the remedy. He was about to lose his corn crop by the bugs that were swarming into it from the stubble. He sent to Chancellor F. H. Snow, of the State University at Lawrence, and from him received a box containing a half-dozen diseased bugs. With them he exterminated a forty acre field full of the pests. They have died by the millions, in fact, they have about all died from the infection of those six bugs. A little circular of instructions, which he followed out, came with them. The six bugs were placed in a bottle with three or four hundred from the field, and were left together thirty-six hours and then turned loose, both the living ones and the dead, in the field. Devastation followed, and Mr. Mattocks will be troubled no more with chinch-bugs this year. If your crop is in danger you can save it by the same means of getting the diseased bugs in your field. It will cost you nothing and is a dead sure remedy. He has been sending dead and infected bugs to others in the country and to Prof. Snow, whose supply was running down.

I personally visited Mr. Mattocks's farm and verified the above statements.

The difficulty of obtaining enough live bugs to experiment with in the laboratory led to the sending out of the following advertisement, which was sent out to twenty prominent papers with requests for its publication:

WANTED! CHINCH-BUGS!

Prof. F. H. Snow, of the University of Kansas, is in great need of some live and healthy chinch-bugs with which to carry on his experiments in chinch-bug infection. Anyone who will send a small lot of bugs to Prof. Snow, University of Kansas, Lawrence, Kansas, will confer a favor on the investigator, and, it is hoped, on the farmers of Kansas.

This request for live bugs was given wide circulation and resulted in keeping the laboratory fairly well supplied with material for experiment.

Before the close of the season of 1890, it became evident that there were at least three diseases at work in our infection jars, the "white fungus" (Entomophthora or Empusa), a bacterial disease (Micrococcus), and a fungus considered by Dr. Roland Thaxter to be *Isaria* or perhaps more properly *Trichoderma*.

The following report which describes the bugs as "collecting in clusters" points to the bacterial disease as the cause of destruction:

PIQUA, Woodson Co., Kansas, 7th December, 1890.

DEAR SIR.—Since writing you from Humboldt, Ks., the 6th inst., I have made the happy discovery that the germs of contagious diseases sent me were vital. On Sunday last upon examination of the millet field I found millions of dead bugs. They were collected in clusters. My idea is that dampness facilitates the spread of the contagion. The first distribution of diseased bugs two days after I received the package by mail apparently produced no results. A part of them were retained in the infection jar (quart Mason fruit jar); half a pint of bugs were collected from the field; three days later a foul stench was found to emanate from the jar, and a part of the bugs in it were dead. On July 3rd I took advantage of the cool damp evening and took a few buckets of cold water and sprinkled the edge of the millet and distributed more infected bugs. On the 6th I found millions of dead bugs. I think the night and sprinkling the millet caused the disease to spread. We have had no rain in this neighborhood since June 17th, if I remember correctly. The depredations of chinch-bugs are always more serious in dry, hot weather. You have conferred a lasting benefit on the farming interests of the United States, the value of which cannot be estimated in dollars and cents. It was estimated that during one of the visitation years of this insect the damage in the Mississippi valley amounted to ten millions of dollars. I have no doubt that by a proper manipulation of the contagious disease in the hands of intelligent persons it will prove an effective remedy. I think the contagion should be introduced among them early to prevent the migration of the young brood. In my case I received it too late. Early sown millet presents a favorable place to infect the bugs, as they seem to collect in the shade and die. Hoping that when the next Legislature meets an appreciative public will suitably reward you for your beneficient discovery, I am gratefully yours,
W. G. MCCORMICK.

The field experiments were apparently equally successful in the months of July, August and September. The following August field-report is inserted as a fair sample of the manner in which the farmers themselves regard these experiments:

FLORENCE, Marion Co., Kansas, November 1st, 1890

DEAR SIR.—On the 20th of August (I think it was) I wrote to you to send me some infected chinch bugs, and on the 30th of the same month you sent me a small lot of infected bugs, I suppose about thirty in all. I then put with these about twenty times as many healthy ones and kept them forty-eight hours, and then deposited them in and through my field—I have about 55 acres under cultivation.

At the time I wrote for bugs my place was all in corn and a very large crop of chinch bugs. I am safe in saying that there were more bugs on my farm than on any two farms with the same amount of land under cultivation. At the time of sending to you for bugs I told two of my neighbors of my intention, and they laughed at the idea, nevertheless I sent. When I put them in my field it had rained fully a half day, and after noon I commenced to place them about in different places in my field. I noticed no change in the bugs for three days, it being cold. On the fourth and fifth days the weather was more warm, and it was then that the destruction of the enemy commenced with great satisfaction to myself and great surprise to mylaughing neighbors. One of my neighbors, Mr. George Winchester, said that there ought to be a subscription raised and donated to me. I told him not to me but to you the praise belonged. I think that it took about eight days after the five from the time that I placed them in my field before they were all destroyed. The fifth day after I put out the diseased bugs I noticed that a great many bugs were flying away from my place. I cannot say if the disease spread in this way or not, or if it spread at all. Three or four persons said they would come and procure of me some of the dead bugs, but no one came. This much I can say, with me this experiment has been a complete success. It has done me a great deal of good. I cannot give it a money value, but am satisfied that had it not been for the infected bugs obtained of you that I would have lost twenty-seven acres of wheat and eight acres of rye, and when I wrote to you for bugs I then contemplated putting out considerable wheat, and I was at that time considerably troubled about the bugs in my corn, thinking that if I put out any wheat at all it would be destroyed by bugs; but thanks to you my wheat is now safe from bugs, at least those that were on my place before sowing my wheat. I only wish that I had written to you sooner than this. I will send by express one bottle of bugs that I gathered after they commenced to die. Respectfully yours, JOHN KNOBLE.

The following report from R. L. Stangaard is inserted as being of a more scientifically circumstantial character than most of the other reports:

FLORENCE, Kan., Aug. 22nd, 1890.

DEAR SIR.—In reply to your favor of July 27th, I would say that infected bugs were applied, after they were kept with live ones about forty-two hours. Most of the bugs mixed were dead when taken out of the box. They were applied in seven different hills, being put into every ninth hill. I marked every hill with a number so as to be better able to watch the progress. Examined after forty-eight hours application with the following results: No. 1, mostly dead. No. 2, bugs mostly alive, seemingly very restless. No. 3, bugs seem to be sick. No. 4 bugs mostly dead. On hills around this one bugs seem to be restless. No. 5, not examined. On hills around it the bugs seem to be sick. Examination eight days after application with the following results: No. 3, bugs seemingly in a dying condition. On the hills around it the bugs seem to be well with exception of one hill where they seem to be dying and some dead. No. 4, not a live bug in the hill. No. 5, apparently dying, also dying in the hills around this. No. 6, bugs dying in hill. No. 7, apparently not dying. On August 16th, twelve days after application, I found the bugs to be dying and dead all through the field twelve acres. On August 20th, I again found the bugs to be dying rapidly. A field being forty rods distant had sure marks of bugs in a dying condition. What I mean by bugs being in a dying condition is this: they lay on their backs, almost motionless, and others lay in same position, moving limbs violently. This remedy was applied on A. G. Rosiere's farm on Bruno creek, Marion Co., Kansas, being nine miles east and three miles south of Marion. Thanking you for your favors, I remain, yours truly, R. L. STANGAARD.

The laboratory experiments have been continued through the season. Of the three diseases identified, that produced by the Trichoderma appears to be less fatal than the other two, as is indicated by the following laboratory notes:

September 28th, dead chinch-bugs showing no signs of fungus externally were taken from the infection jars and crushed on a glass slide in distilled water. Oval hyphal bodies of a fungus (Trichoderma) were found in considerable number. These were put under a bell jar.

September 29th, some of the hyphal bodies had put out slender mycelial growths; others in immense numbers were multiplying by division.

October 1st, the hyphal bodies were still multiplying by division. The mycelial growths had become much longer and in some instances had variously branched.

October 3rd, a dead chinch-bug taken from an infected field was crushed on a glass slide in distilled water. Both round and oval hyphal bodies were found in considerable numbers. The sewere put under a bell jar to prevent dying.

October 4th, both round and oval hyphal bodies were multiplying by division and were putting out mycelial growths.

October 5th, fresh chinch-bugs from an uninfected field were immersed in the liquid containing the above fungi and were put in a new jar with young corn plants.

October 16th, many of the bugs were dead; the others apparently lively. The dead bugs were found to contain hyphal bodies similar to those with which they were infected. A live chinch-bug from the same jar was crushed and found to contain round hyphal bodies; but these refused to germinate.

November 5th, not all of the bugs are yet dead. The few remaining are apparently lively.

The following is a summary of the results of the field experiments in the season of 1890:

Number of boxes of diseased bugs sent out, 38. Seven of these lots were either not received, or received and not used. Reports were received from 26 of

the 31 remaining cases. Of these 26 reports, 3 were unfavorable, 19 favorable, and 4 doubtful, concerning the success of the experiment. These doubtful cases are not to be looked upon as unfavorable, but more evidence is needed to transfer them to the list of favorable reports. These 19 out of 26 reports, or 73 per cent., were decidedly favorable. The experiments will be continued during the season of 1891.

In presenting this paper I wish to acknowledge the invaluable aid continually received during the progress of the work from my assistants, Messrs. W. C. Stevens and V. L. Kellogg.

BOOK NOTICES.

BUTTERFLIES OF NORTH AMERICA. Third Series—Part X. By W. H. Edwards.

The last part of Mr. Edwards's superb work has just come to hand. It is of exceptional beauty and interest. Special attention has been lately called to the American species of the genus Argynnis, by the publication of Mr. H. J. Elwes's "Revision of the genus Argynnis." (Trans. Ent. Soc. Lond. 1889. Part IV.) and Mr. Edwards's "Notes" thereon (Can. Ent. XII. p. 82.) The present number contains plates and descriptions of three species of this genus, the validity of two of which has been questioned by Mr. Elwes. Plate I. illustrates the complete life history of *A. Alcestis* by which it is shown that not only is it distinct in the imago state from both *Aphrodite* and *Cipris* but also in its preparatory stages.

Plate II. *Argynnis Adiante* (male and female). This is a local Californian species of which Mr. Elwes had only male specimens taken many years ago—from what material he had he was inclined to regard it as merely a variety of either *Zerene* or *Monticola*. It appears, however, that it is not such a rare species as he supposed, and Mr. Edwards had ample material to show that this species is valid. The male is figured from Dr. Boisduval's actual type. Dr. Behr, the well-known San Francisco lepidopterist, writes of it that it is common in its season at the proper locality, and further that unlike many Californian Argynnides it is very constant. On the same plate as *A. Adiante* is figured another interesting species *A. Atossa* (n. sp.) the male of which has been in Mr. Edwards's collection for twenty years; but the female was only discovered in 1889. From the figure it appears to be very distinct from anything we have in our fauna.

Plate III. shows *Satyrodes Canthus* in great detail. The text of this plate is very complete. Mr. Edwards has adopted Mr. Scudder's genus for this species but believes the name *Eurydice* does not belong to it.—J. F.

THE CAVE FAUNA OF NORTH AMERICA, with remarks on the Anatomy of the Brain and Origin of the Blind Species. By A. S. Packard, M.D. Vol. IV.: First Memoir—National Academy of Sciences. 4to., pp. 156.

The author of this admirable volume is everywhere known throughout the scientific world from his numerous works, especially on entomology, and has obtained a deservedly high reputation in Europe as well as in America. This reputation will, we are confident, be, if possible, enhanced by the elaborate monograph before us. It contains many original observations of cave animals, some careful scientific investigations, and a very interesting chapter of philosophic

considerations. It is also fully illustrated by a map of the Mammoth Cave in Kentucky, a number of wood cuts and a series of twenty-seven beautiful lithographs, nearly all of them drawn by the author himself. The work begins with a description of the Mammoth Cave and others in the neighbourhood, and gives lists of the various animals found within them; an account of the Wyandotte and other caves in Indiana, Clinton's Cave in Utah, and one in Colorado; a discussion of the geological age of the caves and their inhabitants, the mode of colonization and the source of their food-supply. The second chapter describes the vegetable life of the caves, which is naturally of the most meagre description. Then follows a systematic description and list of the invertebrate animals found in North American caves, among which spiders are the most numerous. Insects are represented by eight species of Thysanura, four of Orthoptera, two of Platyptera, ten of Coleoptera and nine of Diptera—a by no means extensive list, but one that includes some very curious and interesting forms. The beetles of the genus *Anophthalmus* are especially remarkable and attractive to the ordinary entomologist. Lists are also given of the European and North American cave animals, and of the blind, eyeless creatures which do not live in caves, and which, strange to say, almost equal in number their cavernous relatives. The next chapter gives a careful account of the anatomy of the brain and eyes (when partly developed) of certain blind Arthropods. The chief interest of the work culminates in the final chapter where the author discusses the origin of the cave species as bearing upon the theory of evolution. We have not space for any abstract of his views, which are well-deserving of study, but must refer the reader who desires fresh evidence on the subject of evolution to the work itself. We entirely agree with the author in his closing words: "In the case of too many naturalists the dogma or creed of natural selection has tied their hands, obscured their vision, and prevented their seeking by observation and experiment to discover, so far as human intelligence can do so, the tangible, genuine, efficient factors of organic evolution."—C. J. S. B.

American Spiders and their Spinning Work. A natural history of the Orb-weaving Spiders of the United States, with special regard to their Industry and Habits. By Henry C. McCook, D.D. Vol. I. Published by the Author, Academy of Natural Sciences of Philadelphia, 1889. 4to., pp. 372.

The author of this sumptuous volume is so well known from his valuable and interesting works on the natural history of various kinds of ants, and his charming little book "The Tenants of an old Farm," that any productions of his pen are looked forward to with lively anticipation and keen interest. We are quite sure that no one of the subscribers to this, his latest and greatest work, has been in the least degree disappointed by this first volume of the promised three. Though spiders are not insects, we have no doubt that every entomologist, and indeed every lover of natural history in any of its departments, will deeply enjoy the perusal of this volume. We cannot give a better idea of its contents than by mentioning the subjects treated of. They are, first, the general classification, structure and spinning organs of spiders; the construction and armature of Orbweavers' snares; the characteristic forms and varieties of snares; unbeaded orbs and spring snares; the engineering and mechanical skill and intelligence of spiders; their modes of procuring food and habits in feeding; their fangs and poison bags; their modes of nest making and its development in various tribes; and finally the "genesis of snares." All these different subjects are fully illustrated with more than three hundred and fifty wood cuts. The second volume is to treat of the mating and maternal instincts, the life of the

young, the distribution of species, etc.; and the third will be devoted to descriptions of the orbweaving fauna of the United States, with coloured illustrations of a number of species. The whole will form one of the most complete works of the kind in the English language. Entomologists will need to have long purses if they wish to possess all the literature of the day, and to procure for themselves such costly and beautiful books as Scudder's and Edwards's Butterflies and McCook's Spiders. We trust that all who can possibly afford it will aid the authors in their self-sacrificing enterprises by subscribing for their books, but those who cannot do so should use their influence with their local Scientific Societies and Public Libraries and induce those in charge to purchase these valuable works for the general benefit. We are glad to say that the Public Library in Toronto and our Entomological Society have set a good example in this respect and rendered these works available for many of our readers.—C. J. S. B

Report on Insect and Fungus Pests. No. I. By Henry Tryon, Assistant Curator of the Queensland Museum. Published by the Department of Agriculture, Brisbane, Australia, 1889. 1 Vol., 8vo., pp. 238.

We have perused with great interest this first work that we have seen on the Economic Entomology of Australia. Some of the pests referred to are very familiar to us here, for instance, the Codling Moth and the Woolly Aphis of the apple tree, while others are species closely allied to those which are very destructive with us. The report takes up different fruits, vegetables and field crops that are most commonly cultivated in the colony, and describes the insects which especially attack them; as far as possible the life history of each pest is given and remedies are suggested. The work is very carefully and thoroughly done, and will, no doubt, be of great value to the fruit growers and farmers in that part of the world. Its usefulness would of course be greatly enhanced by illustrations of the insects treated of, but evidently there were difficulties in the way of procuring these that could not at first be overcome. Future reports will doubtless be made popular in this way. The author deserves much credit for the valuable book he has produced. We trust that the Queensland Government will give him all the assistance and encouragement possible in the prosecution of his studies in practical entomology, and enable him to continue a work that is of the utmost economic importance.—C. J. S. B.

The Butterflies of India, Burmah and Ceylon. By Lionel de Nicéville, Calcutta. Vol. 3. 12+503 pp. 6 pl. 1890. 8o.

Some three years or more ago, we noticed a work on the above subject by Marshall and de Nicéville, of which two volumes had been published, the last by de Nicéville alone. A third volume of over 500 compact pages has just come to hand, the most notable thing about which, at least to a dweller in temperate regions, is that it is wholly concerned with the Lycaenidæ, of which eighty-two genera and over four hundred species are described. Such wealth in these pigmies among butterflies is a striking fact. The author, however, beyond the generic collocation has made no attempt to classify this immense assemblage, contenting himself with only distinguishing certain groups of genera by the name of one of the included genera, as the "Thecla group," etc., which groups are characterised in a general but not formal way in the body of the work. These agree tolerably well with the groups Doherty had previously characterised from the egg alone, but are about twice as numerous and are established mainly upon the

structural features of the imago. This is better than Distant's artificial divisions but there is plainly an open field here for investigation, and one which there is apparently no need for great delay in occupying, since (excepting the egg) the early stages of Lycaeninæ appear to offer less service to the systematist than in any other group of butterflies.

What will surprise one in this volume, is the very considerable addition to our knowledge of the early stages of the Lycaeninæ, for excepting the Hesperidæ this group is in general the least known of butterflies. Yet something is recorded of no less than thirty-four genera, much of it new, and in many a good deal of interesting history is related. This is a great improvement on the preceding volumes. One particular case, that of the pomegranate butterflies, whose history was briefly and partially given by Westwood, seems valuable enough to reprint for the benefit of American readers; and another, Curetis thetis, may well be mentioned here:—"The twelfth segment [of the larva] bears two most extraordinary structures, which consist of two diverging, cylindrical, rigid pillars, arising from the subdorsal region and of a pale green color. When the insect is touched or alarmed, from each pillar is everted a deep maroon tentacle as long as the rigid pillar, bearing at its end long parti-coloured hairs, the basal third of each hair being black, the upper two-thirds white. The maroon tentacle with its long hairs spread out like a circular fan or rosette is whirled round with great rapidity in a plane parallel to the body, its use being almost certainly to frighten away its enemies, as this larva, as far as I am aware, is not attended by protecting ants and lacks the honey-gland on the eleventh segment present in so many lycænid larvæ which are affected by ants."

Ants have been found attendant upon half a dozen genera, and in many cases they have been identified by Dr. A. Forel, of Switzerland. At least a dozen species are concerned, and they are about equally divided between the Formicidæ and Myrmicidæ.

Spalgis, it appears, is another instance of a carnivorous lycænid comparable to our Feniseca, the larva associating with and feeding upon the "mealy bug" of the planters, a species of Dactylopius. De Nicéville in no way favours Edwards's belief that Feniseca belongs to the Lemoniinæ, and adds nothing, as we had hoped he might be able to do, to Holland's suggestions that Liphyra, too, might be carnivorous, though he points out that the two genera differ in their perfect state in the number of subcostal nervules, and are therefore not so closely allied as Dr. Holland thought.

The seasonal dimorphism of many Indian Lycænidæ is well brought out, the dry and wet season taking the place of our spring and summer; indeed, it occurs in no less than eighteen genera, and this will be a revelation to many, and seems to bid fair to renovate the study of tropical butterflies. But while in India proper "the seasonal forms seem to be chiefly restricted to two, a wet and a dry," in the Himalayan district of Sikkim "the dry season form which occurs at the end of the year differs somewhat from the dry season form which occurs in the spring, so that with regard to some species there may be said to be three forms—a spring, a wet season, and a winter form." Sexual dimorphism on the contrary is very rare among tropical Lycænidæ, de Nicéville stating that he does not know positively of any case, though he suspects it in a species of Zephyrus. On the authority of Doherty (a native of Cincinnati by the way, working most industriously in the east), he credits half a dozen or more species as mimicking others of the same or neighboring groups of Lycænidæ. Much attention is also paid to the secondary sexual characteristics so far as their gross appearances are concerned, and they are noted in no less than nineteen genera.

Finally, we may call attention to the very interesting general chapter on the Lycænidæ at the beginning of the volume, which is of more than usual interest and rather exceptional in a work of this kind. The work itself must serve a very useful purpose; its execution is remarkably even and shows great skill and balance on the part of the author. There are half a dozen plates like those of the former volumes and executed by the same parties, excepting that two of them are chromo-lithographs, but we could wish that some plates of the early stages might have been added, and the direct purposes of the book for the Indian student would have been served by others giving structural details.—S. H. S.

Manual of Injurious Insects and Methods of Prevention. By Eleanor A. Ormerod, Second Edition, 1890.

The enlarged and thoroughly revised edition of Miss Ormerod's Manual of Injurious Insects which has lately appeared, is a work of such importance to all engaged in agricultural pursuits, that it is thought well to place a notice of it in our Annual Report so that such of our readers who have not seen it may know of its publication. We feel confident that a perusal of this work would well repay all those engaged in the cultivation of farm, orchard or garden crops. The study of economic entomology has made great progress during the decade which has elapsed since the appearance of the first edition of Miss Ormerod's Manual in 1881, and this progress is to a large measure due to the unceasing labours of this talented lady. Her annual reports are eagerly looked for by thousands of farmers in Great Britain and by scientific students in all parts of the world. They give a concise account of the insect attacks which have occurred in the British Isles during the year which has followed the issue of the previous report. A feature of these reports is their practical nature, every attention being given to the best, not the largest number of, remedies for each insect mentioned. This character is also very manifest, as might have been expected, in this more important work of Miss Ormerod's. There is no writer upon the practical science of combating the ravages of insects which attack crops, in Australia, India, South Africa, the United States, Canada, or elsewhere, who does not quote her opinion as the highest authority upon any subject which she has written about. This is due to the careful and thorough manner in which all of her investigations are carried out. In the last number of "Insect Life" issued by the United States Department of Agriculture and edited by the highest living authorities upon economic entomology, the following complimentary notice of this work appears:—"On account of its convenient size, admirable arrangement, plain language, and abundant illustration, it is almost a model of what such a work should be."—"Miss Ormerod's work cannot be too highly commended."

Now the merits above enumerated are just the points which render this work so valuable, for it is perfectly intelligible to anyone who can read, and thus becomes almost indispensable to every farmer, gardener, or fruit grower, who would carry on his work in the most successful manner. Nor is this the case in England alone, where the work was written, for so many of the actual insects treated are common as agricultural pests both in Europe and in North America, and moreover the general principles recommended for the prevention of injury are applicable all the world over. Besides this from the fact that most of our most injurious insects are imported species, we know not at what moment any of those so well treated of in this work, may not appear in our midst as a serious tax upon our cultivated crops. The different kinds of attacks are arranged alphabetically under the three headings, Food Crops, Forest Trees, and Fruit. Some new attacks not mentioned in the first edition and which appeared sub-

sequently to its issue, are now paid particular attention to, amongst these are the Hessian Fly, Stem Eel-worms and the Wheat Bulb-fly. The information concerning all the attacks treated of in both editions has been largely augmented and the special subjects of Wireworms, Turnip-flea-beetle, Mustard Beetle, and Hop Aphis are entered on at length.

Special attention has been given to the presentation of the latest developments in the way of preventive measures. Attention is drawn to the use of chemical manures which are highly beneficial as plant-stimulants (but by no means so to vegetable-feeding grubs and maggots), and the many kinds of agricultural implements, by which the soil can be more completely broken up on the surface, or the surface more thoroughly buried down than was formerly the case, these are of great assistance to us. As an Appendix to the Manual is given a short and copiously illustrated "Introduction to Entomology," where, in the plainest possible language, the structure and changes of insects are described, and illustrations and definitions of the various natural orders into which they are classified are given, so as to "enable the observer of a crop attack to tell at least what kind of insect is before him," and also "in the list of the orders of insects, notes are given of the most observable of the characteristic points by which the insects composing these different orders may be distinguished from each other."

A glossary of terms and a full index render this work very complete. It contains 410 pages, and is illustrated with 155 excellent figures, many of them from the authoress's own pencil. The frontispiece is a portrait of the authoress which has been prefixed by desire of many friends and will be of interest to many in this country who have not had the pleasure of meeting Miss Ormerod. The manual is well printed, neatly bound in cloth, and the small price at which it is published ($1.25) brings it within the reach of all.

There are many articles in the manual which are of interest to Canadian readers as they describe insects which also occur here—amongst these the following may be mentioned:

The Bean Weevil (*Bruchus granarius*).—Treating the seed with a solution of sulphate of copper and carbolic acid are recommended, also soaking the seed beans for some time before they are sown, or dropping them for one minute into boiling water.

The Cabbage Aphis (*Aphis brassicæ*).—In garden cultivation drenching the infested plant with soap-suds is practicable, syringing with an infusion of tobacco in lime-water has been found useful and dusting with caustic lime and soot are stated to be very effective in getting rid of the aphis.

The Small White Cabbage Butterfly (*Pieris rapæ*).—The greatest confidence seems to be placed in strengthening the plant, so as to enable it to outgrow the attacks of the caterpillars. In this country this is insufficient and undoubtedly the best remedy is pyrethrum powder reduced with 4 times its weight of common flour or finely sifted lime and then dusted over the plants.

Cabbage Fly (*Anthomyia brassicæ*).—The use of barn-yard manure immediately before a cabbage crop seems to induce attack, also the continuous cultivation of cabbages on the same ground. The value of lime and ashes are emphasized by the experience of correspondents.

Carrot Fly (*Psila rosæ*).—This is an uncommon insect in Canada; but is found here and is liable at any time to develop in numbers. The remedies suggested consist chiefly of, careful cultivation of the soil so as to induce a vigorous growth, care at the time of thinning the rows and the use of obnoxious materials to deter the females from egg-laying.

Stem Eelworm (*Tylenchus devastatrix*).—"Clover sickness" and "Tulip, root" in oats are caused by small nematode worms. We have not so far observed these in Canada, but they have been studied in the United States and we should be on our guard, Some points in the life-history of the species are given in regard to which some common-sense remedies are suggested, such as not planting a crop liable to attack upon infested ground. It is shown that several plants are injured by the worms and that they can survive the operation of digestion in animals fed on infested fodder. It is the same species which causes stem-sickness in clover and "tulip-root" in oats. Grain Aphis *Siphonophora granaria*, Kirby. Early maturing varieties of grain are recommended. The full life-history of this insect is still unknown.

Daddy Longlegs (*Tipulæ*).—These troublesome insects are treated at some length. Amongst measures to be taken to lessen the quantity of eggs laid, are mowing down coarse vegetation in places suitable for the females to lay eggs, and feeding sheep on infested pastures. Draining of low land and the use of quick-acting fertilisers are suggested.

Hessian Fly (*Cecidomyia destructor*).—This well known pest has been specially studied by Miss Ormerod. The chief remedies are burning infested stubble and screenings, the selection of varieties least attacked, and the use of special fertilisers in the spring to strengthen injured plants.

Wheat Midge (*Cecidomyia tritici*).—Deep plowing directly after harvest and the destruction of screenings seem to be the best remedies.

Thrips (*Thrips cerealium*).—Deep ploughing and clean farming are thought o be the best remedies.

Wireworms (larvæ of the Click Beetles).—"Wireworms may perhaps be said to do the greatest amount of mischief of any of our farm pests; they destroy root grain and fodder crops." So Miss Ormerod begins her article and it is almost as true for some parts of Canada. Great stress is laid on the preparation of the land before a crop liable to attack. Autumn feeding with sheep and the use of gas-lime and salt are highly spoken of. Sir Richard Keene writes "If the lea is broken for oats (our general crop) it is sure to be attacked more or less by wire-worms; I top-dress with 4 cwt. agricultural salt, 2 cwt. superphosphate and sometimes 1 cwt. nitrate of soda. I have never known this to fail if applied in time. If the lea is broken in autumn, to have green crops in the following year, I have the land worked as much as possible and apply 8 tons hot lime to the statute acre; lime as hot as possible. I always sow the seed with a liberal dressing of farmyard dung, for such crops as mangold, turnip, cabbage, carrot, and parsnip, and I use the following dressing of artificial:—2 cwt. best bone meal, 1 cwt. nitrate of soda, and 3 cwt. common salt. I find the plants are soon forced up beyond the reach of damage.

Hop Aphis (*Phorodon humuli*).—This is another insect which sometimes does enormous injury in Europe, and which has received particular attention from both the authoress and Prof. Riley whose studies have supplied important links in the life-chain of this insect. The remedies most to be relied on are the treatment of plum trees early in the season to destroy the first brood of aphis and afterwards "washing or spraying the hop plants when they are found to be infested.

Red Spider (*Tetranychus telarius*).—This is another of the dire enemies of the hop as well as many other plants. Washes containing sulphur or kerosene are suggested.

Mangold or Beet Fly (*Anthomyia betæ*).—The remedy most spoken of is high cultivation; but the benefits of a kerosene emulsion are suggested by the experience of one of the correspondents quoted.

Onion Fly (*Anthomyia cepurum*).—The remedies offered for this well-known pest are careful preparation of ground which has not borne onions the previous year, growing them in trenches so that the bulb may be kept covered, the removal of diseased bulbs, and the treatment of infested plants with what is practically a kerosene emulsion or simply with soap suds.

Slugs.—These troublesome mollusks are not insects but are treated in the manual because so frequently sent in by people who suppose they are. Gas-lime, lime, and salt if applied frequently at short intervals are sure remedies.

The Diamond-back Moth (*Plutella cruciferarum*).—This insect frequently so injurious to cabbages in this country is spoken of as an occasional pest of turnips. A dry dressing of gas-lime, one bushel; lime from the kiln, one bushel; sulphur, 6 pounds; and soot, 10 lbs., was found useful.

In Part II. "Forest Trees and the Insects that injure them," there are no insects which actually injure our forest trees in Canada although the general principles of prevention and remedy give valuable suggestions.

In Part III. "Fruit Crops and Insects that injure them," we find many too well known enemies of the orchardist.

The Woolly Aphis (*Schizoneura lanigera*).—Of the many remedies given it seems to us that the treatment of the stem inhabiting form with soap-washes or kerosene emulsion will be the most effective, and the latter is probably the best remedy for the root inhabiting form which is so difficult to reach.

Apple Aphis (*Aphis mali*).—Syringing with soft-soap and other washes is recommended.

Codling Moth (*Carpocapsa pomonella*).—Scraping, banding, and washing the trees, form the chief remedies. Spraying with Paris green. This is the first mention of this now universally used American remedy. Up to last year Paris green as an insecticide was unknown in England. Now however at Miss Ormerod's suggestion it has been tried and has proved so successful that there is no doubt that it will rise rapidly in public favour. Probably some from carelessness or recklessness, in not following the instructions closely, will put on the washes too strong and injure the foliage; but the benefits which will follow its adoption will be so enormous that Miss Ormerod will speedily be recognised as a public benefactor by thousands of the ignorant *educated* people in Great Britain who "did not know that grubs and creeping things were of any interest to them."

Mussel Scale (*Mytilaspis pomorum*).—This is our familiar oyster-shell bark louse. The usual soap washes in spring and the mechanical removal of the scales are recommended.

Gooseberry Saw-fly (*Nematus ribesii*, Curtis).—Great stress is laid on the value of removing the surface soil from beneath bushes which have been infested by the larvæ. Mention is made of some mixtures containing soot or sulphur. We are surprised to find that "white hellebore" is not mentioned.

Shot Borer "Pear Blight" (*Xyleborus dispar*).—A most complete article is given on this insect which has been very injurious in our Maritime Provinces for some years: preventive remedies in the shape of washes to prevent the females from laying eggs are given.

Mottled Umber Moth (*Hybernia defoliaria*).—This moth is interesting to us from the fact that it has been taken on three occasions in Vancouver Island by Rev. George W. Taylor—whether indigenous or introduced is uncertain.

This is one of several moths which have been very injurious for many years in England but which have been successfully treated during the past season with Paris green. A long article detailing the experiments of the Evesham Fruit Conference with Paris green, under Miss Ormerod's guidance, gives an account of the successful introduction of Paris green into England as an insecticide. J. F.

THE RUSSIAN PARASITE OF THE HESSIAN FLY.—Miss Eleanor A. Ormerod, the eminent consulting entomologist of the Royal Agricultural Society of England, in a communication to the Mark Lane *Express*, thus refers to the discovery of this parasite :—

"It is announced in the United States that Professor C. V. Riley, the well-known entomologist to the United States Department of Agriculture, has introduced into that country living specimens of *Semiotellus nigripes*, a Russian parasite of the Hessian fly, in order to acclimatize it. By its aid he hopes to practically exterminate the pests in that country. Curiously enough he obtained this parasite from England, and it is said that quite a number have been reared for the purpose. If this is the case, there should be no difficulty in the way of adopting the same means of getting rid of the Hessian fly in this country, and it would be interesting to have Miss E. A. Ormerod's opinion on the subject."

My opinion is that, quite certainly, it would be worse than useless (in this country) to make any such attempt. In the United States of America things are on a very different footing. There are differences in temperature, conditions of climate, and also of area of cropping, and other agricultural arrangements which must affect this question. Likewise there are special arrangements at the Government experimental stations for rearing insects, and skilled Government entomologists who can trustworthily examine the collections before they are turned loose on the country.

The parasite fly (the *Semiotellus nigripes*) is only about one line long, and without the help of a magnifying glass and some technical knowledge it would be impossible for any but skilled entomologists to be certain whether many pests were not included amongst the parasites which they set free. Also it is to be remembered for the most part insects pair, lay eggs, and die very shortly after they make their appearance from the chrysalids, but even supposing these minute creatures lived on awhile, where are they to be taken to?

We do not know what corn is infested until attack is thoroughly set up, for the most part till the mischief is so advanced that the time for action of the parasite is past; and at a vast expense the intended destroyers would in many cases be carried where there was nothing to destroy.

This work of rearing could not be done on a broad scale—that is, by collections from the threshing machine by farmers—and the payment to a staff of collectors, rearers, and distributors would involve enormous outlay.

The present plan of destroying the Hessian fly chrysalids in the fine screenings is much the safest, and also has, for this country, the stated approval of Prof. Riley himself. It is easily done, costs scarcely anything, and causes no loss; and thus, though we destroy the parasites (of which there are several kinds), we also quite certainly destroy the pest.

FORESTRY REPORT.

1889-90.

COMPILED AT THE INSTANCE OF THE GOVERNMENT OF ONTARIO.

BY

R. W. PHIPPS,

TORONTO.

PRINTED BY ORDER OF THE LEGISLATIVE ASSEMBLY.

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1891.

To the Hon. John Dryden,

Minister of Agriculture, Ontario :

Sir,—I have the honour to forward the Forestry Report for 1889-90, being the sixth issued, which will be found to contain :—

Valuable articles on the best methods of tree-growing, and actual results obtained by three of the most experienced tree-planters in Ontario.

Extracts from Dr. Mayr's Report to the German Government on the condition of the North American forests, translated especially for this Report.

Complete statistics gathered from New York and Michigan States and Ontario concerning the effects obtained from windbreak protection.

Instructive correspondence from all parts of Ontario respecting the forestry experience of different sections.

Articles contributed by Professor Fernow, Washington, on Forestry, and by Dr. Bryce, Toronto, on Forests in Relation to National Health.

Respectfully,

R. W. PHIPPS.

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INTRODUCTION.

This present report, intended, as were former ones, to check the deforesting of Ontario, and encourage, as far as lies within its power, replanting, will be found to contain much new information with regard to the various branches of forestry, and the advances being made in that direction, both in this and other countries.

It is gratifying to be able to state that, in many parts of Ontario, much greater thought is now being given to this matter than formerly. In the more wooded parts of Ontario, of course, clearing still goes on, but it is not done under the impression which once seemed to exist, that the supply of timber was everlasting, and many settlers, warned by the example of the front townships, are giving thought to retaining a sufficient reserve of timber on their farms, though it cannot be said that there much planting is being done.

In the older townships, however, which have lost a great part of their original forest, much interest is being taken. Last spring, I have travelled some thousands of miles through Ontario, and in all directions could be seen lines of young and lately planted trees, along the fences and roads. It is true that many of these had not been so well cared for since planting, as they might have been, and some had died. Still, a large proportion were thriving, while occasionally, a farmer had planted an extended treble or even quadruple line of trees I did not notice, however, plantations of some acres of young trees such as one frequently sees in the United States; but these will arrive in time, while at present it is safe to say that much interest has been aroused, and that many thousand more trees are being annually planted, than has ever previously been the case in Ontario.

It must not be supposed that this at all so general as could be wished. In many localities little is being done, but a commencement has been made, and we know the proverb which says, "What is once commenced is half finished." One feeling, which is having great influence, is this:—Many farmers have an idea at some future period, of selling their farms; and a farm does not sell nearly so well if quite cleared, as if it possesses a thriving piece of forest. So, to preserve such a piece, on many farms, cattle are now being fenced out of a portion of wood land, and some attention paid to thinning or otherwise caring for the young trees, which, where sod has not taken possession, soon spring up.

It is greatly to be hoped, however, in the interest of Ontario, that much more rapid progress will be made. If every farm possessed (what a little trouble would give it) five, ten or fifteen acres of good timber, having besides, its orchards and outbuildings sheltered by a beautiful wind break, say of the Norway spruce, or our own more lasting, if slower growing, white pine, life on the farm would be more comfortable, travelling in winter much easier, the appearance of the country greatly benefited, the most important crops, both of grain and fruit, greatly increased by the shelter afforded, and, above all in value to the country, the climate would be greatly improved, and the rainfall more regularly distributed.

On the last mentioned point a few additional words may here be well said. Throughout all North America, or rather that vast portion formerly wooded, the settler in general has pursued but one course. He has cleared more of the land than he can farm to advantage; the absence of a sufficiency of trees has seriously diminished the crop of grasses, and thus it is hard to obtain enough manure to allow it to be kept in good tilth. The result is, emphatically, that the land is drying up, and being washed away into the water courses. To use the expression of the late Captain Eads with relation to the great Mississippi valley, "the United States is tearing out the heart of the country with her gang-plows and throwing it into the Mississippi river." We have been too long, both in Ontario and Quebec, washing our land in this way into the St. Lawrence and the lakes. This is one of the great evils which the forestry movement is intended to check. We shall now notice what progress is being made in forestry elsewhere.

FORESTRY REPORT, 1889-90.

FORESTRY INTERESTS IN THE UNITED STATES.

Limited space permits only brief mention of the most notable events in the progress of forestry reform through the country during the last year.

Early in the year and soon after its annual meeting at Atlanta, Ga., a committee of of the American Forestry Congress waited upon President Harrison and presented a memorial urging the adoption of an efficient Government policy for the preservation and protection of the public forests, and expressing the hope that the President would call the attention of Congress to the subject with a favourable recommendation of the action which was desired by the Forestry Congress.

At the meeting of the Forestry Congress (now having changed its name to that of the Forestry Association) at Philadelphia, in October last, a petition to Congress was adopted, urging the passage of an act withdrawing from sale all forest lands belonging to the nation, and committing them to the custody of the army, until a commission shall have determined what regions should be kept permanently in forest, and shall have presented a plan for a national forest administration. The appointment of such a commission through the President, and necessary appropriations, were also asked for.

The desirability of having a course of instruction in forestry at the agricultural colleges and of forestry experiments at every experiment station formed the subject of another resolution.

It deserves to be noticed also that the American Association for the Advancement of Science, at its meeting in August, at Toronto, appointed a committee to represent the forestry interests of the nation to Congress.

Pursuant to the action of the Forestry Association, a forcibly written memorial has been addressed to the United States Congress, asking that the public lands in the arid regions of the West be withdrawn from sale, until it can be determined what portion of them are situated within the natural water-sheds of streams; that these be placed in the custody of the Department of Agriculture, the timber only thenceforth to be sold, and the land kept as a permanent forest reserve.

A similar memorial has recently been presented to Congress by a committee appointed at a convention of the citizens of Fresno, Tulare, Kern and Merced Counties of California, asking for the permanent protection of the forests lying upon the water-sheds of those counties.

A memorial prepared by the State Board of Forestry of California presents the same requests in a broader application.

A movement has also been made in Colorado for the establishment of a public park in that State, a principal object of the movement being the preservation of the forests of a region which is the source of several large streams.

The fourth annual report of the Ohio Forestry Bureau shows a gratifying progress in advancing the interests of Forestry in that State.

In Pennsylvania, although the Forestry Association failed to secure from the Legislature the establishment of a permanent Forest Commission, they were successful in obtaining the repeal of the fence law, which had been upon the statute book ever since the year 1700; a law which left the forests of the State largely exposed to the intrusion of cattle and their consequent injury. The repeal of the law will be of great advantage to the forests which remain.

In New York the report of the Forest Commission for 1888 indicates the need of a change in the laws in regard to the redemption of the land and the cancellation of the titles, in order to prevent the loss by the State of much land, valuable as a part of the forest reserve, which recent enactments have been designed to secure. The commission also asks that the further extension of railroads in the counties embraced within the forest reserve shall not be allowed, as such extension cannot be regarded otherwise than as a calamity. They also ask for such an appropriation from the State treasury as will enable them to purchase, for the purpose of increasing the forest domain, such forest lands as can be bought at a fair valuation.

In New Hampshire, the last Legislature established a commission "to examine and ascertain the feasibility of the purchase by the State of the whole or any portion of the timber lands upon the hills or mountains of the State, near summer resorts, or bordering upon the principal sources of the water supplies needed for manufacturing purposes, with a view of preserving the same as public lands and parks." The commission is organized and actively at work.

In Massachusetts a notable forestry movement has been made by the town of Lynn. At the first settlement of the State, Lynn, the second town established in it, had a wild piece of woodland which was held in common until 1706, the proprietors being free to enter it and cut fuel and timber to supply their needs. At the date mentioned the tract was divided among the landowners. It is a region of rock-ribbed hills with bold ledges and precipitous crags, the intervening glens and valleys coursed by clear and rapid brooks and rills and having in their depths extensive swamps and ponds. It is now to return to its original character of a woodland held in common, and be, in addition, a free pleasure ground. The city council lately decided to take advantage of the public park act of Massachusetts, and made an appropriation of $30,000 for the purchase of the land, which, with private subscriptions, gives a fund of about $450,000 for the purpose. A board of park commissioners, evidently the right men for the place, has been appointed, and they are now taking the land by right of eminent domain. The park commission, the water board, and the public forest trustees will act in harmony in the administration of the region as a public forest—which it will be pure and simple, with no attempt to incorporate the ordinary park features into its plan. There are about 800 acres to be taken, which, with that already held by the forest trustees and that taken by the water board—including 200 acres in the ponds—will make a total of about 1,400 acres, which may be still further increased. This forest will be the largest area dedicated to park purposes in New England. As a writer in Garden and Forest has said: "Lynn has thus led the way in establishing the first public forest, and thus set a noble example which ought not to be without effect upon other communities."—*Washington Forestry Reports.*

PROGRESS AT WASHINGTON.

During the year, in addition to making up reports, travelling, and delivering forestry addresses, the United States Commissioner at Washington has sent many young trees to the following States:—Dakota, Nebraska, Kansas and Colorado. The names of the species, the number sent to each State and the number living after one year will be found in the following table:

Names of Species.	Dakota.		Nebraska		Kansas.		Colorado	
	No. of plants sent.	Per cent. living.	No of plants sent.	Per cent. living.	No. of plants sent.	Per cent. living.	No. of plants sent.	Per cent. living.
Pinus Sylvestris (Scotch Pine)	575	7.	350	14	725	3.4	500	8.4
Pinus Austriaca (Austrian Pine)	575	5.22	350	9.1	700	0.57	500	9.6
Pinus Strobus (White Pine)	400	5.25	25	0.0	125	0.	25	0
Pinus resinosa (Red Pine)	0		0		0		0	
Pinu mitis (Short-leaved Pine)	0		0		0		0	
Pinus ponderosa (Bull Pine)	0		0		0		0	
Pinus laricio (Corsican Pine)	250	11.6	0		125	0.	25	0
Picea excelsa (Norway Spruce)	500	8.8	25	16	0		0	
Pseudotsuga Douglassi (Douglas Spruce)	225	0.9	225	24.4	325	.61	350	5.7
Libocedrus decurrens (California White Cedar)	0	0	0	0	0			
Juniperus Virginiana (Red Cedar)	0	0	0		0			
Taxodium distichum (Bald Cypress)	0	0	0		0			
Larix Europœa (European Larch)	475	9.47	25	0	0			
Fraxinus Americana (White Ash)	125	60.	0		0			
Fraxinus viridis (Green Ash)	175	44.6	75	60	100	21	200	31
Prunus serotina (Black Cherry)	25	48.	5	80	5	0	5	20
Gleditschia triacanthos (Honey Locust)	4	0	25	20	125	44	325	29.8
Robinia pseudacacia (Black Locust)	25	0	25	4	0		0	
Catalpa speciosa (Hardy Catalpa)	75	25.3	275	62.9	600	50.5	175	33.14
Acer dasycarpum (Silver-leaved Maple)	150	40.	25	24.	25	1.	0	
Negundo aceroides (Box-elder)	150	60.7	25	80.	25	80.	25	100
Maclura aurantiaca (Osage Orange)	4	0	0		0		0	
Total	3733	14.62	1455	26.06	2880	14.76	2130	16.66

THE OTTAWA GOVERNMENT.

The Ottawa Government is lately doing some work in forestry, principally however, with a view to tree planting on the prairies. What is being done is thus described:—

"First, to induce and encourage a desire on the part of the settler in the colder and more exposed portions of Canada, for tree planting and shelter belts; second, to ascertain by carefully conducted tests in different sections which varieties are most desirable, and third, to plant those varieties of trees best adapted in such as will tend to bring about the more favorable forest conditions as above noted. Of course this last proposition is one that can only be taken up after the satisfactory solution of the second.

Belts of forest trees, 150 feet wide, have been planted on the north and west sides of the Central Experimental farm, comprising about 10,000 trees. The one on the west side is made up of forty or fifty different species of deciduous and coniferous trees. They have been planted in irregular groups, overlapping each other in different forms, which detracts from the stiff effect that square blocks present. The other on the north side has the same varieties, with the addition of certain hardy shrubs indiscriminately mingled at regular distances—somewhat approaching natural forest conditions. This, when compared with the other, will in time give accurate data in regard to the relative benefits of what might be called mixed and individual planting. Also in relation to hardiness, rapidtiy of growth, freedom from insect pests, timber value, which may be expected to add much to our present knowledge of timber culture. Thus far none of the catalpas, honey locust, Russian mulberry and American sycamore have proved entirely satisfactory, suffering from the cold each winter. Black walnut, when grown from northern seed, promises to do well. Trees grown from seed three years ago and undisturbed, are now six to seven feet high. Box elder, Russian mulberry, black cherry, yellow locust and soft maple (acer dasycarpum) are the most rapid growowing varieties in the belt; although for economic purposes white ash is one of the most valuable trees to plant.

One of the first things undertaken in connection with this department of horticulture was to obtain a large collection of the seeds of the hardiest Rocky mountain and East European conifers, including the beautiful blue spruces and magnificent firs of the former region, and the hardy forms of Riga and stone pines of the latter. As a product from these collections, about 175,000 seedlings were transplanted from the seed beds last spring and will be reserved, when of proper size, for distribution to points where their usefulness has not yet been tested. The branch farms, of course, will receive liberal consignments of these; as well as other experimenters who can be depended upon to give careful returns.

For the past two years distribution of trees has been made to the C. P. R. gardens, twenty-five in number, and situated at different points along the line. The Indian and mounted police stations have also been the recipients of liberal collections during the same period. All these stations, covering a variety of soil and climatic conditions, will very speedily bring such light to bear upon the forestry question in the North-west as will enable the settler to select with greater certainty the trees likely to be adapted to his locality.

The above work was supplemented last spring by a distribution of 100,000 small forest tree seedlings, of the hardiest variety obtained from northern sources. These were sent to voluntary applicants in bundles, each containing 100, and were carried through the mails free of charge. Very satisfactory reports have been received as to their condition on arrival and the growth made after planting. The reports to be sent in after wintering will, however, be much more valuable. Arrangements have been completed to continue this line of experiments on a larger scale, and double the number will be sent out the coming spring.

WORK IN ONTARIO.

In Ontario during the year, in addition to compiling the present report, many forestry lectures have been given, and the press has been largely used for the circulation of forestry literature, over 600 letters and articles having been printed

in that of Ontario alone. In addition, the Ontario Government fire rangers, of which a large number are employed, half their expenses being paid by the Government, and half by the lumbermen, have been doing good service. This is a most important work, as forest fires in Canada have destroyed immense ranges of valuable woods. The bonus promised for planting lines of trees has had an excellent effect, many thousand trees having been planted under its influence.

EUROPE.

In Germany, where forestry is regularly pursued as a science both by the Government and individual proprietors, the work of one year shows little dissimilarity, to that of another. All through the country, a portion of each forest will be cut down, and a similar portion planted. This is done in regular rotation so that next year another portion of the forest will be fit to cut, the next year another, and so on until they come back to the one planted this year. Managed in this manner, the forest lasts for ever, and from the even distance of planting and careful management, an acre there will yield much more timber than the same amount of land in the virgin forests of Canada.

In France and other European countries, though the system of tree growing is not always so exact or scientific, much care is being taken of the forests, especially in planting the sides of precipices.

It should not be forgotten that the United States, and the Dominion Government have made large forestry reservations in the West, but it is one thing to make reservations, and another thing to keep them so when settlement begins to surround them or careless tourists, (as is already the case in both of these) occasion destructive fires.

HOW SHALL WE PROTECT OUR FORESTS?

The following article was written in reply to a request from the American Association of Science, the object being to sketch out a plan applicable to most or all American communities:—

Arousing Public Opinion.

Each State or Province should employ a competent official to obtain information on the subject, and circulate it by means of pamphlets generally called Forestry Reports. With these, two things are advisable; first, that they be written in an interesting style, for mere dictionary statements on the subject would simply be left unread; next, that they be widely distributed, and among proper persons, not merely sent to officials and prominent men, on whose shelves they are likely to remain untouched. An excellent method is that of obtaining, from some well informed person in each locality, the names of all he knows likely to read with profit such a book, and sending one by post to each on his list. In addition to this, it will greatly aid if the forestry official be able to address, during each year, many communications to the press throughout his State or Province. In addition again, addresses delivered at many points each year will be found of great service.

Free Distribution of Trees.

Young saplings, obtained in the forest, are very inferior to nursery-grown plants. The forest sapling has generally two or three long roots, which cannot be obtained in full extension, or carried or planted if they were. They must be cut and the chance of growing risked. Then, many of them are grown in the shade, and will not stand the open sun. On the other hand, the nursery-sapling, twice at least transplanted as it should be, gets a more bunchy and fibrous root each time, and naturally grows far better when placed in its ultimate position. Very small trees, especially evergreens, can be, indeed, and often are, taken from the forest and planted in the nursery, when, after two transplantings, they have excellent roots. But when obtained from seed, or when young from large nurseries, the work is far more easy and certain. When one goes for trees to the bush, though saplings apparently be countless, it is surprising what trouble it will take to find what is wanted, and to get fair roots then. Again, in our settled country where cattle are often made free of the bush, young trees are hard to get in any case. For all these reasons, if the farmer had available, when he was ready, some thousands of good, well-rooted healthy saplings of the kind he wishes, he would often be willing to plant and care for them. Therefore, I consider that a large public nursery, where trees might be obtained free of cost, would be one of the greatest inducements to land-owners to plant. It will not do to say that he who wants trees should buy them. There is an inducement needed here, or the work may not be done. The work is national; it is the nation desires the farmer to plant the trees; it was the fault of the nation that he was ever allowed to obtain public land at first without an agreement to retain a certain portion in trees. I have now, for seven years, been examining this subject, and I am strongly of the opinion that under a system of free saplings, twenty times as much planting would be done as at present. Instead of free nurseries, governments sometimes give grants of orders on nursery men. With careful and earnest supervision, either plan would answer. The great point is—free distribution of young trees.

Settling Fresh Woodland.

The great error of the original settlers was taking hill and hollow, mountain and valley, indiscriminately, for settlement. The result is that many mountain tops were cleared, farmed, and ruined, for the soil washes away, and in a few years nothing remains but to desert it and go elsewhere. That the mountain should be wooded and the sloping valley cropped is the very A B C of forestry, and this should be secured by saying to the settler, "you cannot have such a lot; it is a mountain top; it must stay in wood; and if you take such a lot you must agree to keep such a part in wood, and to keep cattle out." This may seem harsh to the settler, but in the end it would be far better for him. If there is one lesson

more than another which over-clearing has taught America, it is that people should not be allowed to enter the woodland to hack and hew as they please. There are now millions of acres of deserted and worn-out farms, in the Eastern States and Canada, which were simply the elevated ridges, fit, with care, to bear timber for ever, but not fit for farms, as the earth washes off. It is hard for the settler in a forest to know the elevation, but the survey should have regulated matters. I wish it to be understood that here I speak from my own experience. When over thirty years ago, with no one to guide us, many of us entered the forest, we cleared much land that should never have felt the axe, and is now worthless, or very near it. This is not proposed in the case of the ordinary rolling land of the country, nor where there are a number of small hills. But where thousands of acres form the water-shed of a mountain range, they should remain in wood.

Forest Reservations.

Forest reservations of twenty or thirty miles square, should be left at those places, found in most countries, where the sources of many streams arise, that the rivers which pass thence through the rest of the country, may be preserved. These will form reserves where timber will grow, to be thinned, not cleared, at maturity; they will also give shelter where birds and animals, otherwise in danger of extirpation, may still live; and, as the country around is cleared, they will be invaluable for summer resorts. These would, if cared for, remain beautiful remembrances of the pristine forest, full of sylvan glades and delightful groves, retaining the undergrowth, the wild flowers, the deep leaf bed, the pleasant freshness of the virgin forest. In this state they are most valuable preservers and distributers of moisture. But if left without care, fire will here and there burn the hills to the barren clay, cattle will destroy the undergrowth, and the whole scenery appear dry and desolate, compared with what it was, and might still have been. Two things, then, are here necessary: prevent settlement there and appoint caretakers.

Remission of Taxes on Woodland.

It would greatly assist in preserving a considerable amount of forest throughout the country, if taxes on woodland, where the country is sufficiently cleared, were in all cases remitted; and if, in the same connection, some stipulation were made that cattle should, to a proper extent, be excluded, very great benefits would follow. For it may be here remarked that a wood dried up and hardened—its undergrowth destroyed by cattle—is of very little value climatically, compared with one where the forest-bed is preserved. Neither will it remain a store of fuel, or, there being no young trees, the forest must ultimately die. There is no doubt, however, that many of these wood-lots are allowed to decay, because it is

intended to clear them up, and that, if the remission of taxes induced the owners—as it in most cases would—to keep them as permanent forest, much better care would be taken of them.

Tree Claims.

In prairie countries, sections of land have been given free to settlers, on condition that a certain number of acres, generally ten, were planted with trees, and kept in good condition for a certain period. This has been tried for years in the States, but many frauds are said to be perpetrated under it. I have myself found when at the great private nurseries in the West, where the young trees were procured, that it was always a practice to purchase the worst—the culls, in fact, for tree claim lots. The system was nevertheless valuable, but needs to be carried out in good faith, by competent and firm inspectors. The prairie lands of both of Canada and the States, urgently need tree-planting, and will give good returns. Plantations of miles square have been grown these eight years in Kansas by railroad companies, and with good paying results. Yet, even with this successful example before their eyes, settlers plant little. When I saw them they were four and six years old, yet still the prairie for hundreds of miles was comparatively treeless, though all admitted the benefits of trees. I should recommend in prairie countries, while the soil is yet in government hands, that many millions of young trees be planted and cared for under government appropriations, cultivated to keep down weeds for a couple of years, and the prairie close by ploughed to prevent fire running to the trees. In this we should not wait for experiments long. It is necessary to plant four times as many trees as needed, to allow for thinning, and by planting different varieties, it would be easy so to arrange them that even if three-fourths failed, we should still have a forest. But three-fourths would not fail. This would cost millions of dollars, it is true, and it is equally true that it is a matter in which, above all others, millions should be spent. If, when I first saw the prairie States, between thirty and forty years ago, an appropriation of ten millions of dollars had been given to plant trees and care for the groves then existing, these States would, I am well assured, be more valuable by a thousand millions of dollars now. Can nations not afford such sums? Let us think of the sums they are without exception ready to spend in war, and then answer. But that, it may be said, is to preserve national life. So is the other. Every well-informed student of history is aware, that in all the past, as the forests of a country were destroyed beyond a proper proportion, national life weakened, and by the time when, as examples show us, the land had become but a treeless desert, the nation was dead.

Preserving Timber Forests.

The preservation of these has been little thought of in America, and the lumberman, on condition of paying the authorities a certain amount, has been too often allowed to cut at his pleasure. No care has been taken to replant forests.

In Europe, on the other hand, the wood-buyer is carefully instructed as to what portion he may clear or thin, while, as soon as the ground is ready, it is again planted, or the gaps filled. Two reasons for the American practice existed: first, farm land was needed. This reason is not now valid, as the pine land now left is very largely too poor for agriculture. Second, and chiefly, the timber could be sold. Matters have now come to pretty much the following condition. This generation, say for thirty years, will have timber enough, though they will have to use much wood hitherto thought unfit. After that, there will be little good pine, and not much good hardwood in our present forests; what is obtained will be brought from British Columbia and the forests of the Southern States, while the generation following will exhaust these. Considering the well-known benefit of keeping a large section of the country in forest—benefits which it is not the province of this paper to state—I would earnestly urge the people of America to consider how much more advantageous it would be at once and decidedly to say of certain large portions now in forest, "These shall not be cleared for settlement—these shall be sacred to the tree." Once this determination is arrived at, the rest is easy. Nothing is more simple than to introduce and maintain a method of forest preservation, if populations demand it, and governments fulfil their desires.

It is often said, 'We have a large proportion of forest land." But most of this is not good forest. Much has been over-run by fire, much culled of every good stick by the lumberman. But nearly all of this might be renewed, and made good, permanent forest. if the means were used.

Means Used in Ontario.

I will close this paper by stating what is done in Ontario for forest preservation. Much forestry literature has been for years circulated by the local government, and with good effect. A money bonus, half paid by government and half by the township, is given for the planting of lines of trees, in good condition after three years, in every township which chooses to adopt the law. Over fifty rangers, half paid by government and half by the lumbermen, are kept in the woods during the summer months to prevent fires—a very valuable measure. An Arbor Day is also yearly held, with excellent results.

Finally the answer to the question, "How shall we protect our forests?" is "Spend more money in their preservation, and be less eager to make money by cutting them down."

FORESTRY OUTSIDE OF FORESTS.

While it is very necessary to preserve the Canadian forests, it is hardly so necessary, using the meaning generally given to the phrase, as is the exercise of other forestry precautions. By the phrase above used is generally meant the long stretch of forests to the north of cultivated Ontario, leased or unleased to

lumbermen, partly culled by them and partly yet untouched, not at all, we must remember, such a forest as we cleared in old Ontario—we may look in vain for the immense stretches of great maples and tall beeches once so common to the eye, nor do we often see even a specimen of the large pine trees, which in deep and lofty groves once intermixed the maple forests throughout much of Ontario. But these are no more. North of us we have a vast forest containing much pine and hemlock—much young poplar on the burnt lands—here and there an immense black birch—here and there some beech and maple. But this great forest is to our north, and cannot in its principal climatic bearing greatly influence older Ontario. The south-west wind is the rain bringer—its rain clouds are precipitated by this forest, and fall in showers somewhere to the north of it. They do, indeed, greatly help the more southern counties in another manner—that is, by preserving from drouth the sources of the streams which run this way.

We will put aside for the present the question of these northern forests. What is much more important to the inhabitants of Ontario is the preservation of the small portions of forest yet remaining in her older districts, and the adding to them of many more. It is not, in fact, where our large forests exist in Ontario that forestry is most needed. The main effort should be where the country has been mostly cleared, to endeavor by planting wind-breaks of one or more lines of trees—by commencing plantations of young trees taken from the forest or purchased from nurserymen, afterwards to be replanted at greater distances; and by —perhaps the chief of all—endeavouring to preserve what small portions of forest we have left standing there, that we can hope to bring back, to any considerable extent, the former climate of Ontario.

That this climate was far better calculated to aid fertility than our own there is now no question. In one year I have obtained the testimony of above two hundred farmers on the matter, and their unanimous evidence was to the effect that years ago, when there was still much timber standing, most crops gave a far better return than since more has been cleared. There is no denying that this is largely the case. The fall wheat, for instance, grew very much better, and with this of course the clover flourished. When we consider how valuable these two crops are in a proper farming rotation, what we have lost by the change of climate can easily be calculated. Speaking of the evidence mentioned above, it was principally obtained by a thorough examination, lot by lot, of two townships in northern and southern Ontario, obtaining the opinion of their holders as to the difference between the climate now and that which existed when the country was one-third or more forest. Their statements were almost invariably as follows:

That the rain was, to answer the farmers' purpose, much better distributed throughout the year, there being during spring, summer and autumn, frequent mild and fertilizing showers, lasting perhaps for days, penetrating deeply into the earth, and remaining there for a considerable period before drying out; thus

giving that continuance of warmth and moisture to the land which affords the growing plants the best opportunity. Neither was this weather, except perhaps in rich low soils, more productive of rust than that of the present day.

That now, on the contrary, rain too often falls in heavy sudden masses, beating the young plant into the ground, or causing the grown grain to lodge.

That these heavy showers tend much to weaken and impoverish the land, especially where at all sloping, by carrying away the richest soil; for instance, where furrows had been ploughed down a slope and heavy rain came on, each would resemble the next morning a deep water-course.

That formerly, when sufficient shelter existed, rapid winds had no injurious effect on the soil, but that now they dry the moisture too rapidly out of the land.

That owing to the combination of these causes, added to the fact that very few farmers had the means of procuring sufficient manure to supply the deficiency, a large proportion of the land in the country no longer produced the same amount of certain crops which could be formerly grown on them with much less labor.

That wherever the woods have been cleared in too great proportion, numerous springs which formerly existed had altogether dried up, and even creeks and small streams, once running the year round, were now, excepting in times of floods, nearly or quite dry.

That in connection with this the moisture had receded from the surface of the earth—that is to say that where water might easily once have been obtained at a few feet in depth, now wells must be sunk much deeper before a spring is struck.

The general impression was in all places visited—an impression corroborated by statements from many different parts of the Province—that too many trees had been cut down. It was found also that generally farmers of means, who were able to do so, were planting many trees, mostly in lines along their fences, for the purpose of wind-breaks. Many others of less capital stated their intention of doing so when able. Few large plantations of grown trees planted with this view were found, those existing, planted perhaps twenty or thirty years ago, having been set out more with the view of open parks than with any forestry purpose. Many farmers, however, had numbers of small trees growing in nursery patches, some from seed, some purchased in quantity when very small plants from nurseries either here or abroad, which they intended when large enough to set out elsewhere. As for the portions of old forests still standing on various farms, many farmers allowed their cattle to run in them—a proceeding of course fatal to the continuance of the forest, as the young trees being thereby destroyed, its means of perpetuation are lost. On the other hand some, with a view to preserve a portion of bush, had carefully fenced it.

It was also generally stated that wherever trees and shelter were plenty much better crops of both fall wheat and grass, especially clover, were secured.

From these data taken altogether the conclusion was drawn that while the principles of forestry are rapidly being better understood throughout the Province, and in many cases acted on, there is as yet scarcely one-twentieth as much being done as should be.

With the many competitors now in the field, Ontario cannot profitably remain a wheat growing country. Her main hope for the future must be in grass and cattle, and it is impossible to produce these profitably and in large quantities in a dried up land. Too many farmers are now, in the effort to raise a few cattle, killing the goose that lays the golden egg. They are allowing their bush lots to be dried up in order that their cattle may run through them and get some shade and a little pasture. In a little while the young trees are eaten off, none grow up to replace the old ones, a poor sort of grass overspreads the earth, the large mature trees fall one by one, and shortly all is so open and worthless that the farmer thinks it would be far better in crops and cuts it down.

As far as the cattle are concerned they benefit but little by it. As a long experienced farmer and planter elsewhere in these pages remarks, one acre of good grass outside the forest is better than twenty acres in. There are, however, other ways whereby shade and bush pasture may be had for the cattle. In the first place a portion might be set apart for them and a portion for forest. In the next place groves may be planted so near grass-fields as to give shelter without allowing the cattle within them, if of trees likely to be injured thereby. They are sometimes planted in the form of St. Andrew's cross, sometimes in that of a double crescent divided in half by the fence between two fields. There will then be shade as the day passes on from all points of the compass in these two fields

What injury cattle will do to forests when in good leaf, and how rapid is its progress when there is no good pasture to be had outside, few are aware. They will easily pull down saplings fifteen or sixteen feet high, bite off all the leaves in the head, let the tree fly up again if they have not broken the stem, and pass on to another. They will, too, destroy much older and much better trees. I have seen one walnut plantation out west nearly ninety feet high and the trees two feet six inches through at the butt. They are not mature yet, but the owner expects in about fifteen years' time that they will average five hundred dollars a tree, which, as there will be a hundred large trees to each acre, will be $50,000 an acre—many times as much, of course, as could have been raised in crops on any adjoining acre. There is an adjoining acre, however, where cattle have shown what they can do. It had to be cut off from the rest to allow the cattle, which are many and large, to pass to another part of the farm. There are or have been in it about a hundred walnut trees which must have formed a fair grove at the time it was thrown open, as the trees are many of them sixty feet high. But they are all dead—the acre of land has been tramped hard all round them and their trunks have been rubbed by the cattle till the outside of the bark is all rubbed away

Here had been, as well as I could calculate, fifty thousand dollars lost in order to yield an amount of pasture and shade which could easily have been obtained for four hundred.

As described above, some similar process is going on all through our country, wherever the old portions of forest are being allowed to dry and wither down, largely assisted, in many soils tending to be shallow, by the wind perpetually blowing down outside trees (a thing to be checked by planting evergreens at the outside.) Then there is the perpetual demand for fuel, and as described, the inroads of cattle, of which Professor Sargent, the chief authority in America, has said that "not all the injury by axe and fire has done so much harm to the American forests as the browsing of domestic cattle."

There is every proof that by deforesting we have rendered Ontario no longer the fertile land it once was. The climate has deteriorated, but as in the case of springs which, dry for years, were renewed when a fresh growth of trees was planted round them, so our climate is capable, without any unreasonable care or expense, of being renewed again to perhaps its pristine vigour. We want our lands in the future valuable for dairy purposes, for butter, cheese and the raising of cattle; and where forests, rich grass and flowing streams exist is the very home of these. The possession of many cattle makes the growth of crops easy. What is wanted is to have the great expanse of cultivated Ontario not indeed again reforested, but to revive again a sufficiency of our forests. It is doubtful whether, over much of that country, the true forest, valuable for climatic purposes, covers more than one-twelfth of the surface; for as we pass through what are supposed to be small forests we find many of them little better than a sort of mongrel description of park—a hard hoof-beaten surface covered with short poor grass with a few large trees, the small trees, except those that are worthless, all eaten down. These cannot serve the purposes of forests—the forest soil is gone, it has no longer the power of holding water—of storing up reservoirs of rain to be furnished to the dry springs in due season; nor has it the vast mass of undergrowth covering the surface of the earth that keeps cool and moist the actual forest.

Of actual forest in good condition there is probably scarcely one-twelfth throughout much of Ontario. To raise this to one-fourth should be our object, and this is that forestry outside of forests we should endeavor to promote. When people talk of the forests of Ontario, as to whether they are being taken care of, they are too apt to think of the lumber districts. These of course are valuable—they bring a large revenue—and though some politicians complain of the way in which they are managed, they are certainly better cared for than any other forests in America. But if we could by reforesting bring back the former climate—the summer showers and fertile growth of older Ontario, the profit to our people would quadruple that which the lumber forests can ever bring us, manage them how we may. It is forestry outside of forests that we need most in Ontario.

MR. GOTT'S OBSERVATIONS ON FRUIT AND FOREST GROWING THROUGH WESTERN CANADA.

I must ask my readers to go carefully through the following article, which will profit both those who grow fruit, and are interested in sheltering their orchards, or who are planting or intending to plant trees for forest purposes or general farm shelter. Mr. Gott is a successful fruit grower, and in the matter of forest and shade tree planting and raising, few plantations I have seen are equal to his. It is about six years since I have seen his place. I particularly remember that the wind-break of Scotch larch of which he speaks was then very fine, and must now be most beautiful and useful. With regard to what he says concerning the free distribution of young trees, it should be remarked that, although not succeeding as well as might be wished, yet where it is desired to plant large surfaces, it is hard to suggest anything better. Mr. Gott objects to it also as interfering with private enterprise. It is not considered to do this to any great extent in other countries, such as those of Europe, in some of which it is largely used. There are two reasons why this should be the case. In many governmental affairs, governments though maintaining large establishments of their own for the purpose, are by no means hindered from taking, in time of need, large contracts from outsiders, as may often be noticed in the building of ships, and the purchase of material for warlike purposes. So, also, governments which maintain nurseries for purposes of free distribution, often give large orders to private nurserymen, who furnish them with trees at a low rate for the same purpose. It furnishes, too, a sort of counter-check; the government nursery, if well managed, should afford an example in the matter of growing trees well while the private nurseryman, on his side, who gets a government order for young trees, can afford the stimulus of showing how quickly and cheaply he can grow them.

The second reason I wish to give is as follows: Let us suppose the government giving out many young trees, and farmers planting them largely throughout the country. We all know how prone we are to follow in each other's footsteps. Even in a path across a meadow, we never make a straight line—every one follows the deviations his predecessors have made. It would become fashionable; it would be considered the right thing to plant trees, men of means would invest in it, and many of these, rather than wait for the growth of the young stock which alone it would be possible for governments to distribute, would go to the nurseries, secure their best stock—say their twice transplanted trees and those of foreign importation, perhaps no better than our own after all, but costing more money, in order to keep a *leetle* ahead of Farmer Jones, on the next lot, who has just planted a five-acre wind-break with government seedlings. Of course it would be necessary, in all cases of free distribution, that those supplied should bind themselves to fence properly and give good general care to

for some years, the young trees they had obtained free. I am sure also that Mr. Gott will admit that such a quantity of tree-planting as he rightly considers to be necessary in order to restore, to any valuable extent, the now almost forgotten climate of Ontario, which he has so well and truthfully described, would need many more nurseries than we have at present, so that, if even one or two of these were government ones, there would be little loss to present or future private establishments, which would still raise, if not the largest number, at least the much better paying varieties of trees.

It would be well to say a word here concerning what Mr. Gott has remarked about the sowing of pine seed broadcast in the New England States on the sands near the sea shore. So far as I have seen this myself, it is done on large expanses of land near the sea—land which was once, to judge by the old stone fences carefully built round it in many parts, of considerable agricultural value. This was probably two or three hundred years ago, and the land has been cropped and cleared until it was little but a fine blowing sand, forming here and there into large whirlpools. People observing that from an occasional pine tree the falling seeds would grow without culture, sowed them themselves still more broadly, and from then till now they have been sowing them every year. It has been found that in about thirty years this produces a forest of pine trees of shortish build, but giving a considerable trunk from nine to twelve inches through. A portion of this forest will then be cut down and sold for various purposes, the chief of which seems to be the manufacture of packing boxes. Much more is sown, I believe, every year than is cut down; the crop is perpetual, and as there is very little labor, it pays the owner. The experiment has been tried in Ontario, but without success, the seed not taking at all, though it would be well to try it in still other parts of the Province, where light, sandy expanses exist.

Mr. Gott does not consider the scope of Arbor Day work sufficiently large, but it is in accordance with the rest of our forestry efforts. Governments have neither spent nor attempted to spend as yet the large sums necessary for properly re-foresting Canada. What is being done at present may be described as an effort to influence public opinion. I think myself that some more practical measures would now be looked upon with favor by the Ontario public. The school agitation, however, has been of decided service, and may be of more. Perhaps the distribution of a number of sheets containing the rudiments of forestry among the children might be of service.

My own opinion is that the best results would be obtained if Parliament would devote more money to the object by Government either growing, say till a foot high, trees of many varieties, and giving them at that small size and at the proper season to those who would bind themselves to take good care of them, or purchasing the same, or part, from nurserymen, for the purpose of giving them out free. Those who received these little trees would find them to be far better

rooted than those they could obtain in the forest. They should then devote a small plot of ground and proceed according to Mr. Gott's directions, always remembering the description of ground they are working in, and what trees they find formerly grew best there, or grow best there now:—

FRUIT GROWING AND FORESTRY.

By B. Gott, Esq., Arkona.

I wish to present this paper in its two-fold aspect of, first fruit growing, and then secondly forestry proper, and their practical inter-relation and dependence on each other. Not that I hold by any means that the former is the only department having the essential element of usefulness contained in it, to the entire exclusion of all such pretensions for the latter—far from it. As far as the essential elements of usefulness are concerned, it is thoroughly and everywhere understood that both the departments have them in very large proportions, and I might say in almost indispensable proportions. All successful nations and peoples on the entire habitable globe have felt their condition of helpless dedendence upon their tree growths as a first and fundamental condition of their very existence. As far as I know there is not a successful community of people on the earth to-day, outside the deserts of Arabia, that are permanently held together in any form of continuous being. I believe that the original constitution of society is made such by the *Great Designer of the Race*, that if any people or kindred or tongue will wantonly or recklessly injure or destroy their natural inheritance of tree growths so liberally and so generously given them, there is no other influence or power that can be made to serve to hold them together in permanence of habitation. We need only just look into the history of the past and past nations for confirmatory evidence of the weighty and solemn truth of this observation. Tree growth, therefore, and in plentiful abundance, is essentially necessary to the very existence, and fundamental to the prosperity of any people in every age and part of the world. This immense preponderating importance of a nation's tree growth is doubtless the primary reason why it is studied and treated of so much by the most profound and thoughtful of all prosperous peoples. Only witness the profound attention of old Germany and France, of England and the United States of America, in their intense and constant studies of the needs and demands of all questions relating to their national forestry. Not only is this vigilance in all forestry questions shown in occasional though elaborate newspaper articles, but exhaustive pamphlets and volumes of matter are being plentifully prepared, and as widely circulated as the demands of the nation, by the most able, scientific and practical men the nation or the age can produce. Let us further consider, and, if we can, measure the immense importance and power of those annual associations and conventions for discussion and deliberation of all questions of forestry conservation for these countries. Who can properly measure the far-reaching results of such meetings as, for instance, the American Forestry Congress, and the voluminous reports of these sent over the continent? When we consider the make-up of these conventions, and the profoundly cultivated ability and power brought to bear upon them and the questions at issue, we are made to ask in utter astonishment, "What will the future be when brought out in living forms tangible to the eye?"

But not less and nowhere behind the forestry are the fruit-growing interests of this country, now not only commanding the best ability and attention of the

age, but utilizing it and emphasizing it for the highest and best ends of an industry so vastly important and fundamental to our existence as a nation and a people.

Whatever is made to favor and encourage our systematic fruit-growing interests in this country, contributing to its certainty and success, is in the truest and most practical sense helping and assisting us, and thereby so far demonstrates to us its real money value. So and for these reasons we conclusively say that

FRUIT-GROWING AND FORESTRY

are co-related and must go hand-in-hand, and cannot be put asunder but by the most evident and devastating losses to all parties concerned. It is more than needless for me to attempt to detain your readers at this late day with even an outline sketch of the marvellous strides of progress now being made, and that have been attained by our national fruit growing within the past few years. I simply wish to direct attention to and emphasize some of the needs and demands for better methods and results which I believe it quite within the range of possibility to attain by means of friendly protective tree belts around and about the fruit plantation, as well as other forest plantings in masses or blocks over the face of the country. The present position and demands of fruit-growing in this country to-day may be simply stated thus: That we are becoming more and more subject to unseasonable, high, cold and blasting winds that are destructive to the very life of every form of vegetation. These winds are not our own, nor do they originate on this side the great lakes, but on the great high mountain land of the North-West, and in their uninterrupted sweep over this country from the North-West leave their destructive influences and effects behind them. That these winds, far more common than formerly in the history of this country, not only are accompanied by great force to uproot and unroof, but also they bring with them the most intense and destructive cold analagous to that of the unprotected and treeless prairie regions of the west, that not only effectively causes to perish the annual crop of valuable fruit, but in some cases destroy even the trees themselves.

During the spring and blooming season of the year, we are often visited either by cold north-west winds or by blighting easterly rain-storms, just at the most critical period of the young fruit's life, that effectually destroy it at its birth and render the trees bare and unfruitful, all of which is directly or indirectly chargeable to want of a sufficiency of tree protection. Our rain fall is not as formerly pretty equally distributed over the whole circle of the year, but is rather in extremes and excesses at one part and at another a perfect and continued cessation, causing prolonged drouth in the heat of summer, when our fruit and fruit plants need a supply of moisture the most. In consequence of these very discouraging considerations, occasioned as I believe wholly or in part by the removal of our natural forests to an extent greater than is actually needed for economic purposes, we are annually subject to great losses in our fruit crops, causing much injury to our national industries and an immense shrinkage to the revenue of this country. If by judicious tree planting in blocks, in continuous belts over the farm or around the fruit plot or otherwise, we could successfully control those powerful influences and agents that are now apparently growing up against us, if we can direct these and so modify them in our favor we should do so, and that at once without any further delay.

These are some of the conditions, disadvantages and trials of the fruit-men in this country to-day as we see them, and our experiences are pretty large in these lines. These are some of the great and growing oppositions and drawbacks that must be met and overcome before we can even hope to make fruit growing in this country absolutely successful, or pride ourselves that we are able to put upon the market the brightest and best possible specimens of our popular national fruits. Fruit men looked up to as successful men in their profession are men who are overcoming their adverse natural conditions, and are modelling their untoward circumstances for their own ends and for their own advantages. That is, they are men of ability and power of determined will, and of a thorough fundamental, intellectual and physical training in their special lines of business, and they use these qualities in shaping and transforming their surroundings. Their precautions, prelabors and the shaping influence of all their studies are marked and very noteworthy. In the very first movement they select their location to be, as far as possible, every way favorable to the objects and purposes in hand—successful fruit-growing. They require the location to be as much as possible sheltered from prevailing destructive high or cold winds, but more especially from late spring frosts. Such locations when found are of immense value to them because they supersede the necessity of great expense in providing natural or artificial protection from these and involving much loss and time. Again, though they be well protected above from high cold winds yet the soil may be very unsuitable for their purposes by the great amount of water it holds in its composition. They at once employ an elaborate and expensive system of underdraining to render it at once suitable and favorable to the successful production of the choicest specimens of their high art. But in case the former conditions indicated do not exist or cannot be procured to their satisfaction they scruple not to plant trees around the whole plantation in belts and masses to act as shelter and wind-breaks for the fruit plants. These belts or blocks act as the conditions to modify climate, to shear the winds of their cold, and to induce the clouds to drop down their fertilizing showers. They modify those adverse influences that constantly bear upon the work and fortune of the modern fruit grower placed under frowning northern skies—those influences nevertheless that stimulate his activity and call into lively action all the forms of his inventive genius in all matters of protection and success in his chosen calling.

A Few Practical Examples

of judicious tree planting for protection, which have lately come under my personal observation, may be here acceptable.

On travelling not long since in a neighboring county near the thriving town of Thamesville, my attention was arrested by the appearance of a dark pine belt surrounding an orchard and home. My first impression was that it was beautiful, and the perfect realization of an idea I had often formed for myself as to what should be done. The trees were native white pines and stood about 10 or 15 feet apart, their dark waving branches interlacing one another and swinging gently in the summer breezes. The trees had attained a magnificent size, had run upwards about 20 feet, and I suppose had been planted about 12 or 15 years. Their dark, dense and beautiful foliage was admirable and formed a most complete and sure defence against all wild sweeping blasts that might pass that way. This belt of trees was a decided acquisition, and added very materially to the real value and working capacity of the farm as well as the enclosed orchard and household.

Yet Another Fine Example.

One of the most beautiful and extensive plantations of our hardy and accommodating evergreen trees that I had had the pleasure of seeing, was inspected by me a few weeks ago near the town of Morpeth on the Lake Erie Shore. The trees were mostly imported Norway spruce and our native white pine, but the spruce greatly predominated, especially for the whole of the inside work. They were originally planted by a gentleman owning the property there, named Mr. Hill, and had been designed not only to protect himself and the precious products of his soil from the well understood tearing winds and roaring waves of old Erie, but also to beautify and add to the natural attractiveness of the spot, in order to form a harbor there, and eventually a large and thriving business centre for trade and commerce on the bosom of the lake. This latter conception, however, he did not bring to realization, but the former is fully up to all and every sanguine expectation. Those trees stand there to-day, in their order and beautiful symmetry, as living testimonies of the designing intelligence and the far-seeing determined energy of the man who was the immediate cause of their order and beauty. The spruce had been planted 12 years ago, and were brought I was told from the United States on barges loaded for the purpose. They have now attained a height of about 15 feet and stand very closely together, viz., about 10 feet apart, and are planted inside the outside belt of white pine in all conceivable fantastic designs of plots and carriage drives, forming a piece of scenery not often witnessed on Canadian soil. Their branches are of an immense length and encouraged to grow out from the very bottom, the lowest ones lying prostrate on the ground, the higher ones overlapping them in regularly beautiful folds, shortening to the top, where there is but one aspiring shoot upward. Their beautiful dark green masses of leaf presented an impenetrable screen to all outside vision, and so being once within their friendly enclosure one would be in happy ignorance of the ungovernable elements without. They beat against it, but only to be beaten back with most resolute resistance on this, one of the most turbulent waters of the whole chain of the Canadian lakes. It was a fine place for reflection within this peaceful enclosure, so full of sermons and so full of beauty. If such astonishing results could be attained and in so short a time, think of the guilty negligence of more than three-fourths of our people in suffering their possessions to be devastated and the soil reduced to penury from year to year, never arriving at the first idea of duty in the way of protection and beauty in planting trees. They suffer, and they deserve to suffer who assist to destroy our natural wealth of forest trees and utterly refuse to plant another to replace them. I have no moral patience with men who in this way are untiring in their efforts to spread devastation and loss over this fair country, until their sufferings make them to cry out and stigmatize the benevolent Providence that is daily over their heads. I say in all honest indignation and contempt, it is a shame! If every man owning our fertile soils and enjoying the peace and plenty of this fair country, would only make a feeble attempt to do what in him lieth to replant and properly re-tree this country, how soon would it present the most attractive aspect to its now largely dissatisfied toilers. It seems to me that however loudly we may talk about our British sires and the firm and solid policies of the old land and contrast ourselves in self-satisfied congratulations with our dashing but flimsy neighbors across the lakes, yet in very truth and actual practical forms of genuine patriotism, we are nowhere in comparison with them in this matter of planting trees. I never go over into one of their cities but I stand in utter amazement at the no end beauty of their street trees. And this same form of patriotism is to be distinctly observed in every city, town and hamlet over the whole country and even over the country itself. Let us be wise and draw practical lessons of usefulness from these observations.

I went a few days ago to Mr. James Bissell's, near Thedford, Ont., to inspect a belt of native white pine he had planted about twelve years ago on the north and west sides of his garden and household buildings. The trees have grown most remarkably well and now present an unbroken front to the fierce winds coming so frequently from these boreal quarters The trees when quite young were taken from the forest and planted about ten feet apart in single row. They are now 15 feet high and are thickly supplied with branch and leaf. That gentleman told me that he considered the belt of very great advantage to him, and that he would not be willing to take a large sum of money for it, as it successfully modified the temperature to him even in the most intense cold of our winters. In addition to the comfort, they helped to save and mature his fruit, and thus he had plenty for himself and family. At the same time and near the same place I visited

The Celebrated White Pine Belt

on the Thomas farm, near Thedford. I had not seen this place for some time, and I was much astonished at the growth and development it had made, and so demonstrated its efficiency as a wind-break and shelter belt for the family orchard and home. The enclosure embraces about five acres, and the small white pine trees were taken about fifteen years ago from the open forest and planted closely all round the plot The result has been a most pleasing and profitable success. The trees are to-day about 25 or 30 feet in height, and closely embracing each other in one close compact beautiful waving belt of rich sheltering foliage. During the cold and storms of winter this enclosure offers a most delightful retreat and a safe harbor against all fierce intrusions of wind or frost, and as a result the family dwell together in safety, and the home orchard and fruit gardens are generally, in their seasons, loaded with ripening fruits, rich and refreshing to the taste. Mr. Thomas says that in the coldest days of winter he can now go out with safety and comfort to perform his duties within this enclosure, whereas before it was there he could not stand out in winter to cut his wood. This is a fine example of what can be done with ordinary common native white pine, but we rather think that still better things might be achieved by the use of the best European pines or the spruces planted in systematic order.

The Jake Romph's Young Pine Grove.

This young pine grove is a marvellous product of nature, unhelped in any way by art except the simply fencing them for protection. After the large pine timbers were removed about 20 or 25 years ago the ground was simply left alone, and this thick massive growth of beautiful pine is the result. It is located about two miles north of Thedford, and is on natural pine land on the banks of the flats or flowed lands of the Aux Sable, and embraces about 10 acres. The trees are now about 25 or 30 feet high many of them, and are a dense and beautiful mass of dark green waving pine over the whole block. It is the finest block of young pine growth I have ever seen. A prominent pump manufacturer named Dunn, I hear, has been using from this plot for some time for pump logs, and they so well suit his business that he has offered the proprietor one thousand dollars in cash for the timber on the block for these purposes. This is a fine sample of the successful and rapid growth of the common white pine, and it further shows us how short a time is required to bring these timbers into successful and paying uses, so that the outcry that "he that plants trees only plants for his heirs" is a totally fallacious and misleading one. Amid all the great variety and difference of trees in this country for forest and shade purposes, it is my opinion that we have nothing

that on the whole combines so many fine points of advantage as the common white pine. Other trees, as the cedar and the hemlock and spruces, no doubt have their good qualities and fine ornamental points of great merit, and are indispensable in certain localities and positions in this great country, but for every day use, for our most exposed positions and for everybody's use everywhere there is no tree of such wide and general application as the white pine. In point of beauty, too, when near its full development, say from 30 to 50 feet high, with a full and rich equipment of branch and leaf, it strikes me that this tree is very hard to beat. Its beautiful dark rich color of leaves and their massive plenty, so cheering, so helpful and inviting as they are, softly waving in the summer breezes, and so sheltering and friendly in the fiercest winter storms, and its most useful timber for all purposes in our economy after its death, makes this tree essentially the most valuable and greatest favorite of our times. Nothing makes up for the other defects of a country or enhances its beauty and attractiveness so much as a general and plentiful plantation of white pine over its entire surface. Amongst the deciduous trees I am strongly in favor of the basswoods and the white woods of our forests for all purposes of protection and shade or wind-breaks. The rapid growth of the basswood and the tulip tree when young is most astonishing, and their beautiful color and form of leaf and its intense massiveness and attractiveness, make these two great and general favorites all over the country, on all soils and in all locations. The beauty and sweetness of the basswood in its blooming season in July is one of the most attractive things in nature, and every bee of the air as well as the living things upon the earth all feel its intense and permeating power. As a honey producer, therefore, and that of the very finest and best possible quality, every beekeeper in the land should plant in the most liberal profusion and in every possible empty space many trees of the basswood, and then follow out with a plentiful supply for variety of tulip trees.

In my humble efforts at tree growing I have been very successful at growing tulip trees from seed, in 5 or 6 years to 8 or 10 feet in height, making beautiful trees for transplanting purposes in permanent locations. The same can be done with the bass woods and ashes and catalpa. The beeches, maples and elms require a longer time as their growth is slower and more lasting. Our success with the pines and spruces have also been very encouraging indeed, and we have successfully raised a block of Scotch pine and Austrian pine to the height of 25 or 30 feet in 15 years of growth. This was as handsome and cheering a block of pine as any amateur or professional might desire to see stand on his premises. Their great hardiness, their rapid growth and their intense beauty of form and foliage make these trees exceedingly valuable in our country, and seem to fill in every particular the requisites so much desired for our uses.

Bnt I must not forget to mention the Scotch larch as one of the most desirable of trees for belting and ornamental purposes. It is of very sure and rapid growth, and so hardy that no amount of cold or exposure can in the least affect it, and its long slender beautiful pendant branches covered wirh the most beautiful soft pea green foliage makes it one of the most desirable trees that can be employed for all ornamental or belting purposes. We planted a long row of these 10 years ago along our whole front line. That row is a most cheering and beautiful row of trees 12 feet apart and 20 feet in height, with some of their branches from 6 to 10 feet in length overhanging the road line. It is almost an evergreen, and its many fine branches, even in winter, offer quite an obstacle to the prevailing winds, and a row of these trees two tier deep would successfully serve any purpose of protection. The Scotch larch, therefore, is one of our great favorites that we recommend to all comers. These considerations to us are of vast and growing importance, since the annual plantings of fruit and orchard trees in this country is

very large, indeed, amounting to many thousands of trees in orchards of from 200 to 500 each. This kind of planting is not only now very extensive but is likely to continue in the distant future for many years to come. It is our business therefore to provide at least in part for the grant wants of this future.

The Annual Devastation and Destruction of Trees.

The naturally inherited wealth of our forests is now leaving us on a very rapid scale, and many people have even now come to the end of their allotted allowance. All over the fair face of this splendid country large and handsome block of native, erect, magnificent timbers that once beautified and served for useful purposes the broad landscape are now unfortunately not there, but are removed by the powerful elements and by the yet more powerful arm of man to satisfy his love of change and his gormandising greed of gain. This loss is a loss that is being even now felt, and we shall yet feel it more and more in our winter's cold and in our summer's heat and drought. The rapid changes in our climate that are becoming annually more apparent, and that people are now becoming so much concerned about, and of their true causes and meanings, I believe will find their true explanation only in the loss of our forests. If scientists can be depended upon and observers can be trusted, it is their united testimony that our trees are our great conservator of moisture and that they are the regulators of the winds. In the course of my short life I can most distinctly notice the great change in the composition and make up of our year. I can remember 30 or 40 years ago, that at that time when the whole of this Western Ontario was thickly studded with perhaps the noblest and most surpri-ing growth of native trees, through whose great branches ever the eye of man peered into the heavens, that the winter's cold was not so intense, and the snow falls were far more weighty and general, and that the summer heat was tempered and the droughts were refreshed by frequent falling showers throughout the whole round of the year. Only compare our annual experience of these times with these recollections, and see the incredible changes that have taken place and that yet will still further take place in the composition of our climate, and their immense effects upon all forms of fruit and vegetable growths all over this country. These changes I believe directly attributable to the loss of our growing trees and fine native forests. The feeble efforts made to replace our trees in this country by a new and younger growth of our own planting as yet little worthy of mention. We have no regular organized system of proceedings in this matter so as to accomplish any very marked results in a work so varied and so complicated. With the meagre exception of the towns and cities over the country, the tree planting for ornamental or protective purposes is very feeble, and in no sense adequate to the actual demands. What are the assignable reasons of the lethargy and deep-seated want of interest of the people of this country in these matters? To answer this question we must no doubt consider the circumstances under which we have been placed for many years, and the necessity of removing a very large part of our primitive forest to make room for our farms and our homes. But now that this is done, and more than done, and when we consider the rapid rate at which our ordinary timber supply is being wasted, surely it is time now to consider some of the measures to be adopted by which this supply may be replenished.

The municipal laws and by-laws that have been adopted to encourage tree planting in many parts of Ontario have no doubt served a good purpose in starting the idea of tree planting amongst the people. But so far these measures have not served to produce such an extent of planting as to effect the object aimed at by them. When we look for a moment at the splendid movements in this

line of our neighbors all through the western and north-western States, and at the truly wonderful results of these extensive tree plantings annually by the millions, and at the encouraging splendid growths that they are securing for these forest trees in almost unmeasured blocks we are perfectly surprised at them and ashamed of our own do-nothingness. We feel that there must be some great movement on the part of our official Minister of State and the government of this great country properly organized, and set on foot, before anything worth to speak of can be effected in this line. Mr. Ross's Arbor Day Proclamation may effect a beginning, but much more important measures will be needed to follow.

Having treated at large of the general necessities of tree planting and of some of the more apparent arguments for its encouragement and advancement in a country such as this, I would now more particularly speak of some of the plans and principles that must be adhered to in order to obtain successful results. In forming your plans for a forest tree plantation of whatever extent—it is necessary to know exactly what you are going to do and why and how you are going to do it. You are going to occupy that soil with plants that will be growing and flourishing there for many years to come, perhaps long after you yourself have done with all earthly things and cares. Therefore, it is very important that everything connected with the work should be done with the greatest care and the best possible precaution. The land itself should be well selected and of good tilth, made ready and fully prepared some time before. We would not recommend as was done a few years ago by one of the Professors of an Agricultural College, to go to the waysides and woods and take up an immense load of young trees, from 5 to 10 ft. high, and plant them in an old forest pasture by means of an old axe, making holes for them in a strong sod. Of course this was found out to be anything but successful. Forest tree planting, to be successful, cannot be done in that way. Neither would I recommend a practice we are told prevails in the older New England States, of going to the old worn out lands in many places along the sea shore and sowing broadcast evergreen tree seeds and others on those worn out soils, and leaving them to get up, struggle up and grow as best they can. Neither would I recommend the free distribution of young trees by governments, as that is an interference with private enterprise. Moreover, things got so cheaply are not likely to be well taken care of. My plan is as follows :—

Procure the best possible tree seeds from the regular dealer or collect them yourselves of all the kinds you desire to sow. Have the land you intend to use for seed beds in the very best possible condition, and let it be a light sandy, friable, rich, good loam. After the seeds are sown in the month of May, they must be shaded by using evergreen brush over the beds to protect them from the birds and from the direct rays of the sun, as the young, tender plants are very sensitive to heat and direct sun rays and need the same protection

The Parent Tree Offers the Young Seedlings.

After being grown here with all possible care for one or two years, they are removed to other and ampler grounds and planted in nursery rows, one foot by three feet, and allowed to develop themselves there for from three to five years, or until they reach a height of 5 to 7 ft., and a diameter at the base of one-half or three-quarters of an inch through for all deciduous sorts. Of course evergreens will assume different forms of growth, and to get them up they must be planted at first quite thickly in the rows. It will be found very surprising how much can be done in this and similar ways in raising tree seedlings nice and fit for general planting. Even young people can experiment in this way on a small

scale and raise all the tree seedlings they may need for the farm in small plots in the garden devoted to these purposes, and many very fine and beautiful trees will be the result, that can be used for protection and further beautifying and ornamenting and enhancing the value of the farm.

I would not dare to attempt for a moment to offer minute directions in detail for the production of forest trees in large quantities to professional or old practical growers, but for the further information of others who are not so I may beg to offer the following observations: Trees grown in nurseries, in ordinary nursery rows, say three feet by one, will include 14,550 to the acre, and will be found to be so much superior in every way to forest tree seedlings freshly removed from the woods as to amply pay all the expenses of youthful culture. They will have better roots and rootlets, better bodies, and by far better tops, and will, in consequence of this early, wise and judicious treatment, in the open ground make altogether better trees and in far shorter time. I would therefore greatly prefer them even at a greater first outlay of cost. The next important consideration in the matter is about the plans and methods to be adopted for permanent plantations, and these will be found to greatly differ according to the ultimate designs intended to be reached. These designs may be classed under the three following heads: I. Forest-mass planting; II. Belt or wind-break planting; and III. Ornamental or beautifying planting properly so considered. I will try to deal with each of these methods of planting and as briefly as possible.

I. Forest Mass Planting.

I will suppose the ground to be well and carefully selected, rich, and an ordinarily good productive soil, the nature of which may vary as well as the extent of the surface to be covered, from one to twenty-five or even fifty acres. This ground must be thoroughly well tilled and friable, not too wet or too dry, and in every way good condition to be planted in the spring of the year and as early as possible. After taking the proper bearings of the piece it will be well to lay it out so that it can be planted in long straight rows three feet apart in every direction, so as to include 4,840 trees to the acre. The trees I would prefer young, and not too large, say from four to six years, according to the kinds used, to facilitate as much as possible the work of planting. This work may be done by means of an ordinary spade, one man making the holes to fill the others up as the other man places and holds the trees in proper position. Two men in this way will plant from five hundred to one thousand trees in a day by using diligence and skill in their manner and work. Perhaps it will be objected that this distance for the trees mentioned will be too close together, but it will be found of great practical advantage in actual culture in keeping the ground cool and moist and free from weeds, and also in urging the young trees upward instead of making so many side branches. After a term of years and the young trees have grown much so that they are now crowding each other too strong, the whole block may be gone over and take out every other tree in every row so that they now alternate and leave the spaces six feet apart to every direction or 1,210 trees to the acre. The remaining 3,630 trees taken out will be utilized for binding poles, hoops, withs, and several other purposes. After a longer time another thinning may take place until the trees are finally left about 30 feet apart, or 50 trees to the acre; but this arrangement may not at all engage the attention of the original planter. The questions of culture and pruning, etc., may depend upon circumstances and may be more or less as interest and disposition may dictate, but in all cases we would most decidedly be in favor of indefatigable attention and culture during all the younger years of the life of the trees. It

will help to make better and thriftier trees, healthier and better rooted, and, in short, it will pay. These blocks of beautiful young forest trees of either walnuts or butternuts, or hickory or chestnuts, or basswood or tulip trees, or ashes, elms or maples, or mixtures of all these in certain proportions, we do most earnestly hope to see established over the face of this country to greatly add to its native beauty and to its still greater intrinsic worth. Who would like to see their country degenerating into a great waste desert, or even into a bleak, open prairie like those treeless regions of the great North-west? We are as naturally bound to our trees as the heart of a child to its home, and can no more easily bear the thought of living without them. A young man of our acquaintance leaving this interesting country went away west to settle on the open plains of the Dakotas. After passing some six or eight years there and the sight grown unfamiliar to the pleasing contour of his home trees, he was induced to travel on an excursion about fifty miles from the point where he was to see the broad Missouri river and its richly tree-planted valley in their beautiful proportions. The thing that took his attention first and most was not the broad, calm waters of the river or its majestic flow or its astonishing and awe-inspiring length, but the trees bordering it and filling its valley. He exclaimed, "How beautiful those trees appear! I think I should never tire to look upon them. They remind me of the beautiful forests of our native Ontario, and I have seen nothing like these since I left home." This no doubt an index to the feeling that attaches every native of Ontario to his forests and his native trees.

II. Belt or Wind-break Planting.

This form of tree planting will also greatly depend in its extent and form upon the ultimate designs or plans of operation. If the belt is intended merely for protective objects and is made to include the orchard or the garden or the dwelling for the family, or a small block of ground for other purposes, then the plan of operation is very easily determined. Good wind-breaks may be formed by using evergreens and placing them round the block at distances of six to ten feet apart, or better, at distances of ten to twelve feet, and double the row so as to break spaces. This will no doubt make a cheap and very efficient belt for the purposes designed. It will be found better also to give some protection to those young trees and considerable culture and training while they are young, otherwise their form may be injured and their growth retarded to a very serious extent. A very efficient and handsome belt may be made by taking a wider piece of ground, say three or four rods around the piece to be enclosed, and planting high-growing, deciduous trees on the outside and then nearer to the centre high-growing evergreens and lower growing deciduous trees and lower evergreens, and so on, till the allotted space is filled. This is a faint effort, as the two objects to be aimed at, viz., the ornamental and the useful, which, of course, is not an objectionable combination. Belts again may be planted even without much design of plan around any particular field, or even around the whole farm, by placing trees along the lines and divisions, ultimately to grow up to large trees; and they will be found to be very useful and add very much to the real value of the farm.

III. Ornamental or Beautifying Planting.

In this department I shall not descend to particulars either in operation or description, inasmuch as it falls directly within the province and art of the *Landscape Gardener*, who, as a general instructor, must be consulted in all matters pertaining to it. But still, lest some should by this remark be discouraged

from all attempts in this direction, I may be allowed to say that so much is now being published not only upon this special matter, but also upon all ordinary matters pertaining to the farm and its improvement, that any ordinary person of ordinary intelligence and skill may in a very short time pick up much that will be useful to him and enable him to do things that could not be thought of a few years ago. I would say then, let none be discouraged by any means, for if you have not the means or are not disposed to hire a first-class, professional gardener when you want to plant trees, use your own acquirements and do it yourself; you will learn much as you go along. The size, location and general surroundings of the block will serve to guide you much and the general effect which you intend to attain must also be consulted.

ARTICLE ON EXISTING PLANTATIONS IN CANADA.

By T. M. Grover, Esq., Norwood.

Our readers are here given the statements of a gentleman who can speak well as to the results of plantation in Ontario, he having established, and now for some years cultivated one of the largest private plantations of forest trees in the country. It is of great value for this reason, that the writer does not disguise from us that he has had several failures as well as many gratifying successes. Concerning his failures, he gives us frankly the reason that in some places the trees were not suited to that part of the country; and in others the land or the subsequent care of the plants were not precisely what they should have been. On the whole, however, his experiences are very encouraging, and give valuable warnings to those in that part of the country as to what trees they may safely plant or not. When once a number of these plantations begin to stud our land, and those young trees, which are valuable when only six or eight inches through, begin to sell, there will be planters enough, and many will regret that the intervening time was wasted—that they did not in fact plant now. I have repeatedly laid before my readers statements from the owners of large wood-working manufactories to the effect that they would often be glad of the opportunity of purchasing large quantities of young timber of this class. One firm near Kingston I remember saying that a hundred acres covered with young hickory would be more valuable than all the crops produced by several adjacent townships. My readers, who may have observed the slow progress made in growth by a hickory, ash or other tree growing in the open, would find these trees if grown in plantations of a good size, say an acre, grow in quite a different fashion. Let us plant them say at four feet apart each way so as to give space for cultivation for a couple of years to keep down weeds, and they will grow up tall and with few branches, giving long straight sticks, pretty clear of knots, and yielding far more valuable timber than could possibly be cut from any natural hardwood forest. Of course, after a number of years, these will need thinning out, and by that time in most regions of Ontario, even the thinnings will be valuable.

Mr. Grover does not approve of the attempt to raise trees from seed in Ontario, thinking they had better be imported from foreign or bought from our own nurserymen, and rather doubts that in case of the conifers, they can be successfully raised to any profit by amateurs at all. In actual practice, however, we find this different. Captain Twohy, of Hamilton, having some leisure, amused himself three or four years ago by raising in his own garden 350,000 fine plants of the Norway Spruce, as difficult a conifer, perhaps, as there is to raise from seed. Of course this involved the necessity of complete shelter and proper supplies of fresh air and water at necessary intervals. As to the general amount of tree seeds sown through the country, it should be remembered that it is not always the strong men in the family who are likely to busy themselves with seed sowing. In many cases I have known it was the old man, the owner of the farm, who, too weak now for active labour, found employment and amusement both in raising from the seed tiny rows of plants, and also transplanting them when ready into a nursery bed, and then again in the places where they were ultimately to stand.

Mr. Grover has had difficulty, it appears, with the nut-bearing trees, especially with walnuts, but has not got into the right track. Let me repeat what has been stated in most of my reports, that these had better be kept through the winter in heaps covered with litter or in sand made occasionally damp. Many of them will sprout in spring, and these, properly planted, are generally a success. I may remark here that I have known walnuts brought from Kentucky most successful in germinating near the lakes.

In another communication Mr. Grover makes the valuable remark that, "There are many good farms in every county in Ontario in the posssession of old people, of females, of trusteee and of tenants, and of whieh proper profitable cultivation is not possible at all times, but which would steadily increase in value if part was planted to timber, and at a future day would be of greater value than all the income that could be derived from it in the meantime. Forestry is a science; we have not come to that yet. The relation of each tree to the whole forest, the shade-enduring and the light-needing, the rapid-maturing trees, the nurse trees, the short lived-trees, the study of a century of growth, survival, influence of each variety on the other and on the soil—in fact the whole subject of national forestry—will soon call for ardent students, and every step on the way will, we hope, be of profit and encouragement to the individual and to the country."

Mr. Grover goes on to say:—

Seedlings of My Own Raising.

An evergreen seed-bed I found a great trouble and a practical failure, and the idea of suggesting the raising of any conifers from seed by beginners particularly unfortunate. In this climate the unusually tender seedling of all conifers requires protection varying daily, the little transparent shoot less than an inch high will wither in one day's sun, or will rot or damp off in two days rain, and from birds

and mice a wall must be provided to protect them. I find nurserymen in Canada generally avoid planting evergreen seeds, and many prefer to let the seed of all the trees alone. In the moist open air of France and Scotland there is no such trouble as we find here. When the business is done on a large scale shelter, proper soils, ventilation and proper supervision can be given to millions of plants as easily as to a hundred.

My seed-beds were never entire failures, and if I followed up seed planting I think I could obviate most of the difficulties and no one need hesitate to try it for the purpose of experiment, even if there is a cheaper way of getting the trees.

I sowed in the fall of 1886 and in the spring of 1887 all common varieties of tree seeds, and at this time the best of them being now three years old, they are about as follows:

Black walnut	4 feet.
White ash	5 "
Yellow locust	8 "
Mulberry	4 "
Soft maple	4 "

Conifers:

Larch	12 inches
Scotch pine	9 "
White pine	7 "
Norway spruce	5 "

The catalpa, mulberry and locusts are of doubful hardiness, especially the first year or two, and a careful selection of northern grown seed is indispensable. The locust must in all cases be covered the first winter, in fact taken up and stored or most of one year's growth will be lost, and for want of this the size of my best trees is not a criterion of what three year's growth should be in this climate. The mulberry is not really suited to planting in this climate, although it does succeed in as severe latitudes; the seedlings are uncertain—one may be hardy and the next tender, and it may well be left out of the list of trees desirable for us.

Imported Seedlings.

A good many trees of all varieties and from several of the largest American nurseries have been set out each year both in close rows and in the plantation. I found a good deal of trouble in both systems, although small seedlings can be bought for fifty cents per thousand and a bushel of ash seed for one dollar, yet for the sake of a thousand good trees obtainable freely "Two year transplanted" at from three to ten dollars per thousand, it will not pay to prepare land, plant the seed or seedling, hoe, cultivate, and transplant at a busy time; in fact it is worth the nursery price to dig and sort them, and the whole of such work is much better left to large establishments where skilled men plant and dig by machinery at just the right time, sort into sizes (for like vegetables no two of the same planting will be alike), count, store and ship in lots more easily than I could do any one of the operations. My experience is that the amateur planter can well do, as I find our small Canadian nurserymen prefer to do, buy what few trees they need from those whose business is so large that the items are very small. In many cases they will ask but one dollar per hundred, and for a thousand one and-a-half dollars! The small price asked need not lead us to think that all our American friends will send us only wild seedlings pulled out of some

wood or marsh near them. They say there are some who do—but the responsible nurseries do not need to do so, and I can bear witness to their general care and responsibility, their interest on small orders, as well as large, and very often their promptness to replace failures, not always traceable to them.

Seedlings' Cultivated.

Now for two or three years show a growth as follows:

Black walnut	3 years growth,	3 feet.
White oak	"	5 "
American elm	"	5 "
Box elder	"	8 "
Silver maple	"	4 "
Norway spruce	"	3 "

At the same time many walnuts and nearly all the catalpa, sycamore, mulberry, coffee trees, and larch, though doing well, do not make a great yearly increase in height The removal of all except the maple, elm and ash, seems to retard the growth for a whole season, in all sizes of the tree, and this must not be overlooked in planting any large number of trees.

Native Seeds and Seedlings.

My experience is that three years' additional growth will add to small seedlings as follows:

Sugar maple	3 feet.
Soft maple	3 "
Basswood	4 "
Black cherry	4 "
Elm	5 "
Black ash	3 "
Oaks	2 "
Cedar	2 "
Tamarac	2 "

It will not take half-an hour in many of our woods to gather 500 seedlings of any of these varieties, except oak. They are so easily and safely removed and so sure to grow rapidly, that it is a pity people who want to plant trees will always leave it till the last minute, and be obliged to take a crooked stick because it is the right size.

The oak is a greatly neglected tree, partly from the impression that it is a slow growing tree, and also that it is hard to transplant, both of which ideas are now contradicted by leading nurserymen in the United States. The acorns are more easily got than seedlings, and very certain to grow, and the seedling so very tough and with such a firm root, that it is a most satisfactory tree for planting, whatever may be its possibilities for profit. Plenty of seedlings of the black oak can be found, and I believe it will grow on dry sand where it will be hard to make other trees survive.

Plantations.

Simple as it seems to have a field prepared about as for wheat, and mark it out for planting 4x4 feet, and being supplied with seedlings from a nursery, send a man and a boy to plant two or three acres a day, then to care for it as we would for corn for a couple of years, I venture to say that persons without previous experience will find it rather more easy to fail than to succeed, and with the best care there are inconveniences if not difficulties.

I found the named seedlings came to me in bundles, but were mostly about the size of a knitting needle, and at four feet apart, it was hard to follow the row with the eye, especially white ash, which often will not show a leaf till they are six weeks planted. Another lot of seedlings came duly, but the bundles had broken apart, and I could not then tell ash from elm or buckthorn, and could only put them in nursery rows till they developed. One lot of ash proved not hardy and froze off to the ground every winter.

I think for beginners too, one variety of a tree at a time is enough, for there is no particular object in providing other kinds at intervals to be cut out, leaving the main stock only to mature. For instance: a lot all white ash will be more even and easily looked after than if mixed with slower or faster growing trees.

Large Seedlings.

For every practical purpose of forest planting here, I recommend, for the inexperienced, the use of large or two year old seedlings only, which will be about the size of a riding whip, and for the first block stick to one variety. I would not limit a nurseryman or gardener experienced in handling trees to size or variety however, for the little seedling will grow all right, and, no doubt, a proper forest growth is best attained and only perfect in a mixed plantation. There is no object in getting the smaller seedling because it is cheap, and trying to develop it in a nursery for a year or two. The labor of planting any seedling is greater than the wholesale cost, and to plant, cultivate, transplant, and set out again for the sake of three dollars a thousand, is loss both of time and money. Where the seedlings of common forest trees, ash, elm, maple, cherry, and the like, are sold at one to two dollars per thousand, the price asked for two years transplanted of the same variety will be from five to six dollars. The only real difference is in the cost of handling, the two year trees always having a root requiring a hole to be dug, when the small seedling will not need more than the work of the spade. I did not find the two year old any more difficult to establish, and the time saved is encouraging.

Other Failures.

If I have met some small disappointments, I have many reasons to feel encouraged when I read of the plantation of Mr. B. Landreth, in Virginia. This gentleman, who is the large dealer in seeds in Philadelphia, some eighteen years ago, undertook to establish 5,000 acres of forest in Eastern Virginia. If that had been successful it would have been a noble forest to-day, but Mr. Landreth was obliged to report at the last American Forestry Congress, that the plantation was a practical failure, although I have no doubt he had employed all the skill and forestry experience available for material, as well as the work. The walnut is a grand tree in the native forest in that region, but made feeble and uncertain growth when cultivated. The pines and other conifers refused to grow. The nuts planted, and the seedlings of other nut-bearing trees, were injured by rats,

squirrels and cattle. The locust, of which at one time he had a fine block of over fifty acres grown to a good height and with interlacing branches, which shaded the ground and averaged six or eight inches in diameter, were destroyed in one year by the borer, and it cost him quite a sum to get rid of the stumps, and as a final result, only two trees can be said to have succeeded at all—the catalpa and one of the hardier spruces—yet the owners intend still to prosecute the work. It may be the protection of a few good trees; or a different system will give the necessary experience to insure the success of this most interesting attempt at the very work we are all talking of. The failure there of trees which seemed to grow so well in the nearest forest, is remarkable, especially as further west in the same latitude, but in a drier situation, in Southern Ohio, all the same trees seemed to do so well. There seems to be little trouble here, in Canada, in raising any tree that will endure our winter. Some of our most careful planters tell me the sugar maple is very uncertain and a slow grower when transplanted; but I have not known many of them planted when of the seedling size, and, of course, larger trees are always uncertain. In my own little nursery, all our wild seedlings grow easily; maple, perhaps, a little slow, but nearly always successful, and when once really established, seems a very durable tree.

Successful Planting.

In the case of trees requiring some exact experience, perhaps in every locality it will be necessary to make a trial before we can say just what variety will succeed best The result of my planting so far, is that I can now feel confidence in planting any number of the following trees in the ordinary farm land of the central counties of Ontario, and I mean generally the ordinary seedlings most readily obtainable from nurseries.

White ash, black ash, box elder, black cherry, white elm, rock elm, yellow locust, sugar maple, catalpa, basswood, cotton wood, Scotch pine and white cedar; with more care, the black walnut, white oak, hickory, spruce and white pine, are easily established, but are a little slower to grow and do not so easily keep out of reach of the weeds.

I mean such planting to be ordinary cultivation only; without any watering, mulching or protecting, in fact, not more care than could be given to a plantation of any size one wished to establish, and with sufficient attention to keep down all weeds.

In Scotland and the north of Europe, where many forests are being planted, the climate is so very different that trees are more easily established. They can make the Scotch pine grow by simply cutting a cross in the sod and turning back the corners and sticking in the seedling, and the sun is never hot enough to wilt it. The pines and all other conifers here, either require, or at least are greatly benefited by a covering of any kind the first year, and to be planted firmly in a moist soil; the drying of the roots either in transportation or planting, being especially injurious.

The choice of variety of our ordinary deciduous trees is not at all material to the success of the plantation. We may be influenced only by rapidity of gowth if that is an object above all things or the ultimate value of the timber the mature trees will furnish for sale, or the greatest amount of protection from sun and wind, that will be furnished in a short time.

The white ash seems particularly adapted for general planting here, and is my first favourite if I was required to choose. The firmness of the wood and bark and clean straight growth, are attractive at all times, and its quick growth

and usefulness at all ages are well known. The seedling of box elder resembles it very much, but while young it branches and suckers too freely, and I am told the mature tree in the west resembles a big apple tree more than a forest tree, but it is a very handsome and useful tree, and so cheap and easily planted that it will be long before we have too many.

The black cherry is good in every way, and a very rapid grower, but is sure to be stripped by the caterpillar. I don't know whether the tree would suffer in the middle of a thick grove. The cherry is said to grow twice as fast as walnut, and will endure being planted much more closely.

None of our native trees, when of good size, grow faster than the rock elm, and it is always a valuable wood; it is not quite so handsome as the white elm, but all the elms are so liable to the attack of the leaf beetle, that it is not now so generally planted.

The locust does not seem to suffer so much from the borer here as it does further south, and as it grows so rapidly, and is said to be as good firewood as maple, and better than cedar for fence posts, as well as useful for manufacturing purposes, it seems a most desirable tree for trial generally.

One Variety Only.

While arboriculture is experimental, I strongly advise the planting of only one kind of tree on a plantation. There are so great variations in development in different soils, that unless in the hands of an experienced planter the growth will be very uneven—one tree might do well where another will hardly hold its own, when under proper circumstances they would do very well together. A small lot of all ash, or all cherry, or all maple, will furnish a greater return and a better test than if all were mixed. I do not speak here of a proper extended planting under skilled management, where, of course, all kinds may do well, but of small lots under the management of those unacquainted with the trees and their growth in detail.

Forest Seedlings not Sold

by Canadian nurserymen as yet, must be got in the United States. Many advertise in the common agricultural and horticultural papers, and an order for one or two dollars is filled just as carefully as any large one, and as prices in all cases are quoted at wholesale rates, and the stock carefully packed, and no duty, neither price nor distance need hinder us planting trees.

Preservation of Wood Lots.

While so much has been said to encourage tree planting by farmers and owners, the care of the remaining trees on the farms should first have our attention in the interest of forestry. That a few trees, irregularly growing on nearly all our farms are evidence of some thought on the subject, yet that no wood lots have been effectually preserved, at least I know of none, is a matter of regret to every student of forestry. We have one block of 160 acres of fine hardwood bush of nearly all old trees, so effectually pastured by cattle that it would be impossible to find one tree small enough for a handspike in the whole of it. The large timber nearly shades the ground, and every spring the whole surface is covered with a growth of seedlings of three or four inches in height and including every variety of native tree, but destined to afford only a poor pasture for wandering cows.

Another small block has been enclosed for about ten years, and for many acres on the south and east is already densely wooded and almost impenetrable; many maples, elms, basswoods and cherries are now ten or fifteen feet high and will soon be the best forest left.

Another block now four years fenced in with the ploughed land is entirely covered with an undergrowth from two to six feet high, and if it can be preserved long enough these will replace the matured or maturing trees now fast passing into decline and decay. Farmers should realize the little good of the pasture of the forest undergrowth, one acre of mixed grasses really affording more feed than twenty acres shaded bush land. Since the introduction of wire fencing it is easy enough to fence off the portion of bush desired to be preserved (do not twist the wires round the trees, but fasten them to a slat nailed against them); this will preserve the bush, and it is very dear beef that is grown by spoiling a good bush lot. In all my wood land, more or less isolated blocks, the number of old trees which are already dead at the top would astonish any one who counted them. I am led to believe that the preservation of a native forest requires more knowledge of the principles of forestry in theory and practice than a new plantation. Professor Fernow, Director of Forestry in the United States, seems to say the same. A cutting out of the matured trees may or may not be proper—a thinning of any kind or of any proportion of the surface of the land may or may not tend to the best development of the whole. The extension of the grove by outside planting, and in fact any effort to make it a permanent forest, will tax the best skilled forester. Cases are mentioned where the cutting out of an inferior kind of wood, as of rough swamp elm, has so deprived the good growing trees of the needed protection from sun and wind that the result was soon seen to be disastrous. A clearing out of old logs and undergrowth, as practised in a park, would be ruin; the ground needs the mulch of wood and leaves above all things; in fact without the aid of science protection is the only thing that can be recommended.

The Study of Forestry.

Any person giving attention either to the growing forests or to the forests now being cut away will soon feel there is a good deal to learn. Few in Canada are aware that there is a science of forestry and that books have been written and generations of men trained to develop forestry in its minutest details. That each variety of tree must be cared for in special manner—each requires in a different degree light, shade, moisture and protection, by its own kind or by others. The period of maturity of each is varying as well as the further duration or rapid decline. After this the effect of forestation on the adjacent land and on the climate and health of the region will be of interest to the observer and of profit to the community.

On the Otonabee River, where most of the pine was removed about forty years since, one block of 200 acres had been kept untouched till last year. No doubt the owner had his own trouble to resist the offers of lumbermen to cut that in almost every year; it was on the bank of the river and convenient in every way. Two or three years since, the gradual deterioration as well as the slight growth of the trees became very noticeable, and it was evident it must soon be cut to save it, and the owner then sold it at fifty dollars per acre for the pine alone. If carefully and scientifically examined, I have little doubt it would have been found to contain more sound wood a few years before, and it is, I think, a good illustration on the subject of forest preservation.

Lumbermen's Forest Lore.

The clearing of our forests, now almost entire in the settled parts of Ontario, will soon drive the lumbermen entirely to the north and with them a large experience and skill in one branch of forestry will disappear—I mean economic forestry, or how to make money out of trees. It will take a wood ranger many years to be able to go through a forest, and by counting the trees he can identify without changing his stand to say how many merchantable trees that grove can be depended upon per acre he can also tell by clasping his arms about the trunk; if the tree will yield a piece of timber a foot square or not. I think this kind of knowledge is limited more or less to America, and that a German or other trained forester would rather make exact measurement and calculations, and I doubt if he would be as nearly correct.

An old lumberman, my neighbor, has at times said to me, "There are three rock elms and one black birch in your woods that make timber, what will you take for them?" When I must admit that it would take me weeks to find them on a diligent search, a life long experience with woods must it is clear, give a knowledge of the subject which no scientific training can equal.

Forest Literature.

The student of forestry will find that the subject has been well discussed in the present and in past writings. Apart from botanical works there is a whole literature of American Forestry as well as European. A new periodical, *Garden and Forest*, gives us the latest and best views of practical tree planting and forestry. *Fuller's Practical Forestry* and *Hough's Practical Forestry* are useful American treatises and good practical instruction and general information are found in Mr. Phipps' reports to the Ontario Government. General Brisbin, A.S.A., has lately written, "Trees and tree planting," evincing an interest in the subject, M. H. Egleston, hand book of tree planting; Geo. Pinney, Culture of Forest Trees; and the forestry reports of the American Government will be found of great interest, especially those for 1884, 1886 and 1888.

Natural Forestry.

The general work attempted by some foreign governments is of great interest to many students of forestry, especially the efforts made in the United States where the conditions are so similar to our own. The surveys there made and the estimates of the existing forests are of little value—it is almost impossible to say the existing forest of a locality will be used up at a fixed time, or to judge of the future use by any estimate based on the past. In New Hampshire the entire removal of the pine was predicted for a time now past, though they are still lumbering there. It is quite true they are now cutting into boards pine trees of four inches in diameter, but I take it this is evidence of more difficulty in transportation to that particular point than of the end of lumbering operations in the State. On the Pacific coast the lumbering was long confined to land on floatable water, and there may be lumber exported there long after its apparent supply is ended.

But the survey and investigations are a necessary part of the subject as well as the planting of new forests and the condition of the prairie region.

The schools of forestry in Germany and England, the forest regulations and development of India, the study of the use and durability of woods as applied in the construction of railways and in the arts and manufactures of the country are a necessary study for Canadians hoping to adopt any forest policy in the lands we are interested in, and the application of any part of a forest policy before it is too late must be undertaken now, while we can still study the old and establish the new forest at the same time.

That reforestation on good land will not be profitable is no standard by which to fix the forest policy of a country, but the results of plantations in Europe and in the east, and the protection and well regulated sale of the timber in Indian forests (Hindostan) judged by the timber alone and disregarding all scientific and theoretic benefits of forests, are sure to encourage every community in America to admit the propriety of, if not to adopt a system so earnestly to be desired.

ON PLANTING TREES AND HOW TO GROW THEM.

By J McP. Ross.

If those who receive this report will carefully read the following article by Mr. Ross, (and it would be all the better, unless they possess specially good memories, that they should read it once or twice over again) they will find much to admire in the clear and easy style in which it is written and much of profit in the valuable instruction given. It is not, they will notice, written in anything like dictionary form; here and there they will find a piece of instruction well worth remembering, here and there a reflection equally so. Mr. Ross has had, as he tells us, twenty-seven years' experience in practical tree growing, and also the great advantage of passing much of that time under the supervision of one of the oldest and best planters in Ontario, Mr. George Leslie. During that time, of course, he has had many opportunities of observing both the failure and the success of different plans, and it may be observed that he says little or nothing of failures now, knowing, apparently, well how to avoid them. But one point concerning this should be particularly noticed, that is that without proper care both in the preparation of the ground, the planting of the tree, the time for planting and the keeping the ground free from weeds afterwards, he appears to consider that failure might very well result.

Mr. Ross mentions the large forests of pines and other evergreens which we still possess. But these, unfortunately, lie mostly to the north and east of cultivated Ontario, while to give their principal climatic benefit, the condensation of clouds, production of seasonable showers, and restoration in fact, of our former Canadian climate, they should be to the south and west. To these positions, of course, we cannot restore their former pine forests, or the great hardwood forests once intermixed with them. The land was rich and needed for agriculture, and has mostly long been cleared. What we can principally do in this matter is, throughout older Ontario, to preserve what still standing forest we may, to clothe

with trees our thousands of barren hillsides, to plant where needed a wind-break, where possible a good plantation, and we may then hope to experience the once pleasant and fruitful climate of Ontario again. More of this planting is, in fact, being commenced of late years than my readers might fancy. but very much more is necessary.

Another point Mr. Ross notices is worthy of particular attention. For want of its observance I have known weeks of labour and whole seasons of time completely thrown away, that is to say, the keeping of the roots of evergreens in a moist condition from the time they are drawn or dug from the forest bed or nursery plantation till they are safely planted. The best way in which I have known this accomplished is having the waggon close by, putting the trees in with a considerable lean backwards, and packing plenty of damp moss, or something of the sort where that is not obtainable, round each root, having a large tarpaulin or canvass lying loosely over what you have packed in, and when your load is complete tying it over the whole. I remember bare fields near Toronto, of some acres in extent, which were planted in this manner. Not a tree was lost and they are now beautiful little pine forests, I should think over sixty feet,in height.

It may be also useful to remark that it is better, unless taken very young, not to take young pines from a very deep sandy soil, as their roots will be very slender and so deep as hardly to be taken up without breaking.

With reference to Mr. Ross's suggestion of a thick border of trees round each field, I should rather approve of his other plan, namely, a good plantation to each farm, so placed as best to shelter it. One thing is certain, however that if Ontario is to be, instead of a wheat-growing country, a grazing and fruit-growing one, we must again have our former rich crops of grass, and we cannot do so without we plant many more trees :—

PLANTING TREES.

By J. McP. Ross, Esq.

Looking back on an observant period of twenty-seven years practical tree growing the writer has many things to regret. The greatest regret of all is, however, disparaging, as they are commonly called, tree pedlars : and advising or discouraging people and acquaintances generally from patronizing the class as a whole. Why ? Because the writer was aware of the many frauds and impositions practiced upon the guileless public by the unscrupulous pedlars, as he then thought them to be, and also influenced by nurserymen's sayings and writers generally on tree subjects, against them.

Now I very much regret ever having any animus against them, for had it not been for their zeal, overzeal, enterprise and cheek, or whatever you may like to call it, many places now blooming like the rose would have been as barren almost as the sandiest place in the Sahara desert. To plant a tree is a benefaction to the public—to make it grow shows care and observation on the planter's part, and is deserving of great credit—but to induce a person to plant who would never have thought of it at all, no matter what it is they plant, whether hedge or

shelter belt, pine or fruit tree, flowering shrub or rhubarb plant, is a good action, and whether the reward is in his own satisfaction or is a highly remunerative one it does not matter, for future generations should rise and call him or them blessed.

Then all honor to that abused class for the good work they are doing, no matter where they come from or of what nationality, whether Dutch, Yankee or Canadian, let them sell to the public in all the length and breadth of the land. But now we must say do not do it unscrupulously—do not sell a man a magnolia where a horse chestnut will not thrive, but do your business intelligently; learn the business, tell the farmer or the planter what trees may and would thrive, tell him what is best to plant at the present time on his soil, on his location, and in his particular latitude.

I know the blame often falls on a tree agent from the carelessness and neglect of the planters themselves, who will not give the attention necessary to success.

Careless planters are numerous and mischievous, for, by relating their bad luck, they often discourage careful people from planting, who would have been successful had they attempted it.

Before going into my main subject let me say a word of praise without vanity or flattery, all honor *Firstly*, to that government that recogizes the *vital* importance to the country of tree planting and diffuses such information as will stimulate and direct farmers to grow successfully fruit trees for their gardens and forest trees for their woods, whether evergreen or deciduous, either native or imported, that will give beauty to the landscape, moderation to the climate, shelter for their cattle and crops, wood for their firesides, and refreshing shade on roadside and in the field to the friend and the stranger. *Secondly*, to those enthusiastic gentlemen, whether professional or private citizens who, having the love of the beautiful and the useful in their hearts, do all they can by voice, pen and example in giving the benefit of their experience and observation to the public at large. But here a thought, is it not a gratifying pleasure at all times and in all seasons to the person who plants, to watch the growth from the tiny seed or cutting—from plant age to massive tree—to view with complacency in old age as Downing states "Those leafy monarchs, planted by his boyish hands and nurtured by him in his youthful years, which have grown aged and venerable along with him—

A wood coeval with himself he sees,
And loves his own contemporary trees."

And now to our prime subject and the title of this article. I can point out this fact to any observant farmer or gardener or to any intelligent person, that nature *always* provides some expeditious method for the rapid reproduction of the species and particularly of the vegetable kingdom. Say first from seeds, second from cuttings, third from layers, and if not rapidly from either, at least from divisions of roots or green cuttings rooted artificially under glass. But fortunately for us, our principal valued forest trees grow freely without any difficulty and do not require any great skill, but the slightest observation and care. CARE, *care*, we must repeat, is everything. Everyone knows what results are gained in any business no matter what it is from the form of attention given it, and we can only utter the truism, *i.e.*, the best care gives the best results.

I hardly know what class of trees first to take up to give special importance to, but will rapidly glance at them all. We notice, however, that the old trees or varieties say grown twenty years ago are the leading ones yet, and although new ones are occasionally introduced they do not stand, say my twenty year test. So I will fall back on my old acquaintances in the following order. Nut trees ripening in the fall in their care and attention: Oaks, walnut, butternut, horse,

and sweet chestnuts grow easily and freely from the nuts gathered as soon as ripe in the fall and sown at once; hickory and the beech also grow freely, but are a little more impatient of transplanting; all taprooted trees are more or less so difficult.

Two methods can be adopted to grow them successfully, first to cut the tap root in the seed bed the first year, leaving the plant undisturbed either by spade or other sharp instrument; second, to bend the tap root in the space where the second planting is to grow permanently, and soft growing trees like the horse chestnut or butternut may remain two or three years in the seed bed, then being dug up can be assorted in two or more sizes, should be neatly trimmed to six or seven inches of root length and tied in convenient bundles for transplanting. The hickory is the most shy, but even it is easily grown when the tap root is cut in the bed, or as we say, semi-transplanted.

In the Seed Bed

As before saying, sow the nuts of all kinds of nutbearing trees, as soon as possible after gathering—in good, rich garden soil, of deep tilth, in drills 18 inches apart, and in the drills say from 4 to 6 inches in depth. Have seed bed well drained, the soil on top anyway. A sandy loam that will not upheave by frost and when covering the soil evenly, tread it firmly, for, as an old gardener says, the foot is a better gardener than the hand. Do not neglect the tramping and finally, but most important, cover the bed with a good covering of manure, leaves or any other substance that will retain the soil and keep from exposure to wind or sun till the growing season commences. Carefully examine the bed now and then to observe when any signs of growth appear—then remove the mulch or covering, but not before. I may say the whole secret in growing nuts or other seeds sown in fall lies in the importance of thorough mulching. This also applies to the growing of plums, cherries and peaches from the pits or seed. Peaches are generally cracked by hand with nutcrackers and the kernels and shells left mixed in sand in some cool cellar till sowing time arrives If not practicable to sow the nuts in the fall, then dig out a shallow pit and spread sand or earth on them, over that putting a mulch again. If this is not convenient then cover nuts in boxes with sand and place in shady spots of buildings or hedges to freeze and undergo the natural changes.

Still treating of trees that grow freely from seed, we come to the early-ripening ones which include all elms and soft maples. The time is generally about the 15th of June, the time of ripening varying a little according to locality. The general crop of seeds on elms and maples will be found ripe enough for sowing as soon as any are observed to be falling to the ground. They should be then gathered and sown in drills two inches deep and two feet apart. Select a spot partially shaded through the day—good, clean soil, well manured and deeply dug must be the conditions all the time to get a good growth the first season. If weather is very dry, water freely. The young seedlings, if all conditions are complied with, should make a growth at least fifteen inches the first year. They can be allowed to stay in seed beds for two years, when they may be removed, sorted into different sizes, the roots trimmed, tie in bunches and heel out plants at convenience; or they may be packed in a cellar till a suitable time comes for planting.

If not convenient to sow when gathered, the seeds may be kept in drawers or bags in a dry place till fall when they may be sown, but when sowing them again let me remind you of firmly tramping the soil over them—mulching will not be necessary in the summer sowing.

The trees that ripen their seeds in the fall are the hard maple, Norway do. ash leaved or box elder, buttonwood, birches in variety, ash in variety, basswood locust, wild cherry, alder, and mountain ash. They may be all sown at once according to directions for summer sowing with the instruction to mulch them well. The mountain ash should be bruised with a hoe, then wash out the pulpy integument as cleanly as possible, dry the seed and mix with sand and sow as before in drills in a partially shaded spot.

The pods of the locust may be gathered during fall and sown then or kept through the winter for spring sowing. This tree grows very freely from seed and very rapidly, and its timber makes the most lasting for posts or cellar foundations. The tree is a little late in leafing out in the spring, but when in full leaf is very beautiful and deliciously fragrant and charming when in flower. In winter the jagged dark trunks and branches of lighter color make it decidedly picturesque in appearance.

Of the colors, season of leafing in spring or other peculiarities, I shall speak of further on and will still keep to the propagation feature of my article.

We have spoken about varieties principally to be raised from seeds. Some I have mentioned are easily raised from layers in seasons when seeds are not abundant. To do this what is termed a stool ground is necessary where trees such as the basswood or linden, alder, tulip and others are planted say five feet apart each way. After planting in the stool ground the original plant is cut to the ground and the young shoots or suckers that grow up immediately are bent down with a little twist or cut of a knife and soil covered over the cut with the top appearing out of the soil, now weights such as bricks or stones can be laid on the top of the soil to hold the young layers in position. After a year in this state they may be lifted and found ready rooted to be treated as young trees, trimmed and planted in nursery rows for future transplanting. The parent stool will again grow out, when another crop of young shoots will come again for layering and so on.

Having spoken of the layering system, I now come to the classes of trees to be readily propagated by cuttings from one and two years old wood. In this class we find all the poplars and willows in their different varieties, besides mulberries and numerous small growing trees, or perhaps more properly speaking, large growing shrubs, such as elders, syringas, etc.

The Cuttings

Are gathered after leaves have fallen in the fall or during the winter season any time. Make these into one foot lengths with a sharp knife or axe, observing always that the top buds are kept upward in their natural position, then after making tie up in convenient bundles for handling—bury in sand or sawdust either in cellar or outside in a pit dug for the purpose covered with soil first and straw second to keep from freezing, or better still, plant in rows in the fall up to the top bud and afterwards mulching.

This is an expeditious way to propagate all the willows and the various poplars. For reclaiming a hillside cuttings could be pushed into the banks, here soon growing they would prove valuable in protecting banks from slipping down by winter frosts, besides giving shelter to other trees. Especially EVERGREENS, and of evergreens we cannot say too much in praise of their usefulness. Canada is essentially the home of the most valuable evergreens. Much of the early wealth and present prosperity of the country may be attributed to our extensive forests of pine, cedar and hemlock. But that phase of the subject has been discussed frequently by abler pens than mine, and I will now draw attention to the methods

of propagating and transplanting. So many are to be found in swamps and other places selfsown and in such abundance that it is hardly necessary to speak of propagating them from seed. This is easily done but requiring such a system of partial shading, watering, and airing, that the average amateur had better buy small plants from those who make a specialty of growing them. Were I confined to grow one class of trees alone I think I should choose the evergreen family. It is exceedingly interesting to study the habits of the individual varieties, whether pines, spruces or cedar. They vary so much in the colour and formation of their foliage; and how extreme is the difference in the appearance of the bark from the smooth, shining covering of the young plants to the bold and rugged exterior of the monarch pine on the high cliff side, with its gnarled branches tossing its tasselled plumes in defiance at passing gales or gently sighing in the summer breeze. Our native trees are all more valuable than any imported strangers, though we could not well spare the handsome Norway spruce, or the useful and picturesque Austrian and Scotch pines. The former is invaluable for hedges and screens while the others are equally valuable for those purposes, as well as being planted singly for adornment. When procuring young evergreens from neighbouring woods choose a damp, cloudy day in the latter part of May. Whether in pulling them up by hand or digging the plants up with a spade be especially careful not to break the roots and to avoid exposing them to the air and sun as much as possible—packing them tightly in boxes with damp moss or other litter. When planting them assort the varieties by themselves, such as the pines together, cedars by themselves and the spruces; dip the roots in thin mud and plant about the same depth as they stood formerly. Evergreens should grow as close together when young as possible, as their foliage keeps the soil shaded and moist and prevents the trees from a too boisterous acquaintance with the wind till they have made some growth and become established. From the nursery row they can be thinned out alternately, leaving those that stand to become larger, and what you take out can be planted where they are to stand permanently, whether for groups or in hedge rows or shelter belts.

Trimming or pruning trees may be done any time after the first of July to the first of September. I mention this time particularly as during this season the sap begins to thicken and turn into wood, the edges of any cuts become calloused or partially healed over, and at this time a person may observe the trees to increase in diameter, and notice the formation of the new bark by the divisions and corrugations of the old bark. At this time crooked trees may be easily straightened by bending this way or that, according as the direction of the crooks. Crotched trees may be made to have one leader, by tying the two leaders together firmly at their strongest part, and cutting one leader back to within a few inches of the tied part, leaving the straightest leader. The following year the spur may be cut off, and you will find a comparatively straight tree with another year's growth. Tall, weakly or spindly trees, with irregular misshapen tops, can be made stocky, shapely trees, by cutting hard back in the fall. Wonders can be done even on trees twenty-five to fifty years old, by cutting back the old tops. Old country people are quite familiar with pollard beeches, ashes and many trees that are cropped every few years for their branches, which are applied there to many uses. To sum up generally, do not plant evergreens and deciduous trees indiscriminately, but plant each by themselves—(deciduous trees are those that drop their leaves in the fall)—each variety being impatient of the shade or drip of the other. I omitted to speak before of the larch or tamarack, as useful a tree as a farmer can have on the farm. Our native variety furnishes a heavier and tougher wood than the European larch, but is not any more durable, besides not near so rapid or as straight in growth. A row of European larches

on a farm is a valuable acquisition. From it, in a few years, you may get any sized binding or reach pole, fence posts or building rafters you might want suitable for sheds or other structures. The young plants should be planted in the fall or first thing in spring, when the frost is out of the soil; to succeed well, as it starts to grow early, you cannot plant it too soon; otherwise, if left too late, it is rather an uncertain grower.

The care required to grow all kinds of forest trees is simply the same as to grow a corn crop well. Keep the weeds down and the ground well cultivated between the rows, plough up well the last thing in fall. leaving a deep furrow between the rows of trees. One thing, never put any fresh manure in contact with the roots of newly-planted trees, as this means simply death, especially to evergreens, but if the soil requires stimulating plough a light furrow from the trees on either side or one side will answer, fill this with well rotted manure and plough back. This will have the desired effect in time, without endangering the life of your trees. Finally there should be two planting days on every farm each year —one day to plant maples, elms, etc., and the other day evergreens alone, that would be later on in the season. Should this be a practice on every place what a boon it would be to every one in time. Nor should any one be deterred by the thought of the time it takes trees to grow in; they grow faster than many think, and any way some one will get the benefit of another's labor, as we often have rested in the shade and refreshed ourselves with the fruits raised by the thoughtfulness and industry of others.

Residents in the partially cleared parts of our country who have plenty of bush still standing, and more stumps than they care for, naturally cannot understand the interest taken in tree planting, or why so much is said and written about the subject. But to this class in particular we give special warning, be careful of your trees. Map out what fields you are going to have, and be sure when fenced to leave a good border growing around each field. Leave here and there an occasional five acre bush lot for future use, which will prove invaluable in the course of twenty years. To farmers in old sections of the country we say, if you have not a young nursery on your place set about at once. Fence an acre or so of good well-drained land for the special purpose of growing trees, lay out a ten or twelve feet border on one side, then a roadway that will serve as a headland to turn your horse on when cultivating or ploughing amongst the trees; lay out the rows for trees four feet apart. Plant some young maples, elms, ash or any trees you can get handy. Making a start and seeing nice young trees evenly planted will create a taste and desire to go on further, and will develop a love for a pursuit which when once commenced, will prove to be a fascinating and a productive one. To plant successfully, see your trench is deep enough, but just deep enough to receive them easily, without bending, but not too deep, as deep planting is more fatal than shallow. Newly planted trees of any class should be about an inch deeper than they stood formerly, after firmly treading and levelling nicely. Amongst newly planted trees you cannot hoe or cultivate too often to keep weeds down and the soil loose and mellow.

Most of tree planting on a farm can be done in the fall, especially trees such as larch, hard maple, willows, poplars, elms and ash. Evergreens will do better to leave till May. Thousands of young plants of European birch, sycamore, alders, lindens, English oak, Norway spruce, Austrian and Scotch pine, are imported by nurserymen from Great Britain and France every year. These are then grown into large trees and sold for the planting of parks, avenues, cemeteries, and private places throughout the country.

For your nursery then procure a few hundred of each variety from your nearest nurseryman, which can be procured very cheaply, and what with young trees

deciduous and evergreen, you can procure from the woods, you will be soon surprised at the stock you will have. A few years work, and constantly adding to it, will provide you with abundance of trees to plant about the farm. But I need not enlarge on this, but simply conclude by urging a start to be made. At our school-houses much might be done to interest and instruct children in the knowledge of trees; to learn them to distinguish one variety from another, and how to grow them by having a small plantation comprising one or more of our native trees, properly labelled with technical and common name attached. A little has been done in this direction by instituting Arbor Day. We trust the love for planting trees will increase, and any effort in this direction should receive every encouragement.

To enter more fully into details respecting the growing and cultivation of the different trees, I repeat again that it is fortunate for us that our principal trees, native I mean, are easily propagated either from seed, or can be procured at an exceedingly low price from nurserymen. But the intending planter who wishes to learn how to produce stocks indefinitely for himself; who desires to become acquainted with all the minutiæ of gathering seed, sowing, and the subsequent care necessary to grow successfully his own trees, cannot fail to do so, we think, if the following methods are observed.

To commence with the maple, it is necessary that they become acquainted with the different varieties, which for simplicity we will divide into classes, *i. e.*, the hard and the soft. The scarlet or soft maple when grown alone does not make a very upright growth, growing, in fact, very irregularly, forming a many-branched bushy head, but when planted closely in rows or in groups the crowding together has the effect of producing a much straighter tree, and, consequently, better timber. For shade and ornament it is indispensable. It is one of the earliest to bloom in the spring and very beautiful it looks; its small crimson blossoms appear thickly studded all over its leafless branches. For rapid growth, fine smooth bark and straight trunk, combined with luxuriant foliage, the silver-leaved maple is unequalled either for shelter-belts or street planting.

Both varieties *ripen their seed in the early part of June.* This fact we wish to impress on the memory of the reader, as at this season when every thing is in full foliage, and when other planting operations have just been completed, and the mind may be engrossed with the cultivation of the young growing crops, the ripening seed on maples and elms may be forgotten till too late to gather, from having fallen and been scattered.

Observing then the seed crop on the trees carefully, and when ripe enough, which will be indicated by the seed beginning to fall; gather at once, and sow in a well-prepared bed of rich garden soil in drills opened by a hoe to the depth of two to three inches. Make the rows about twenty inches apart. Sow the seed moderately thick, or about as plentiful as you would sow beans. Cover the seed evenly and tread the soil firmly on the seed. The seed will start to grow in a few days, after which keep the ground clear and free of weeds and well cultivated. The first summer they will grow eighteen inches to two feet in height. From the seed-bed they may be transplanted the following spring into nursery-rows. This is the second operation, and the future success will depend on the soil and the cultivation given. The maple thrives in a rich, sandy loam, rather dry than moist, so that if land is low and wet it should be thoroughly drained. In fact, whatever here may be said about cultivating any tree, and the writer's main object in this article is to instruct or point out the means and the most expeditious manner to propagate young trees rapidly, without regard to the manner of their disposal afterwards by the grower, we must insist on

planting on dry soil, if not so naturally, to be made so by artificial drainage. To make a sweeping assertion, we maintain that no tree thrives in wet places, that any that may be found growing in wet situations would have thriven better if planted in well-drained soils in the corresponding time. Land well drained permits being ploughed and planted much earlier, is warmer in temperature, thus prolonging the growing season. while every one knows that the best time of the season for growth is in the earlier part, and this important advice applies to any operations on the farm, nursery or garden : *plant early.*

In preparing the young seedlings for planting, be careful to assort them all into even sizes; this for convenience may be said to be three. namely, the large, the medium, and the small. By this you have all started evenly, which is really more important than may at first appear, for if the seedlings are planted without any regard being paid to size, the consequence is that the Darwinian truism "survival of the fittest," is exemplified with a vengeance. The largest having more root power rapidly possess themselves of all the "good things," to the almost complete extinction of their smaller brethren.

When sorting the seedlings have the pruning knife in hand, ready to trim any side-growth that may be on the plants, also to clip the roots into proper lengths, say six to seven inches We say proper lengths, as anything over this is not actually necessary for the future welfare of the seedling, and the cutting of any long or tap roots has the effect of producing fibrous roots from the cut part, thus causing the young plant to thrive better besides, And this is important, minimising the risk of failure in future transplantings. Do not cut back any of the leading stem unless the plant has grown crooked by some means. In such a case it should be cut off just at the bend. Do not plant if your soil is very wet, it should just crumble, as if it is too moist it is apt to bake and crack, much to the injury of the young plantation.

Having the rows four feet apart permits the use of ploughing and cultivating with a horse, in fact, with an occasional hoeing by hand, the whole labour of cultivation can be suitably done by horse-power. Plant the seedling in the rows about a foot apart at first. After growing for two years they can be thinned out, leaving young trees four feet apart each way, when they may be left for permanent shelter and so on. All the foregoing instructions respecting planting and sowing the seed applies equally to the care of any trees that may be desired to grow. A crooked tree is an abomination, and sometimes, from one cause or another many of them exist in the rows. Wherever they are cut them down to the ground in the spring. The stock then will throw up numerous suckers. As soon as they appear, trim all off excepting the one appearing to be the straightest. This at once grows rapidly, having all the root-power belonging to the previous growth, and producing a smoother and straighter tree in less time than if allowed to grow without cutting.

The hard or sugar maple, a tree no Canadian can praise too much, or grow too many of, ripens its seed in the *fall.* Sow it at once, as directed for the soft maple; but as the seed has to lie all the winter, it is necessary to have the seed-bed in such a location, or made so by surface drains, that no water can lie on it during the winter season, and another essential is to be sure and mulch the bed or seed-rows with a good top dressing of long manure or other litter. Manure is the best for the double reason of enriching the soil and preventing upheaval of the seeds by frost. In the spring, after the warm rains and settled weather has set in, remove the manure by raking to the centre of the rows, where it may be left, and where it will have the good effect of keeping the soil moist and preventing weeds from growing. The young seedlings will soon appear, and all the care they will require through the summer is an occasional hoeing, They

should make enough growth that season to warrant transplanting the following spring, if possible. They may be left, however, another year in the seed bed, when it will be imperative to move them. Whatever time you may transplant, give such attention to the manner of assorting and trimming as we recommended for the soft maple. They may be planted in the fall if the ground where they are to be planted is well-drained. Generally on the farm, there is more leisure in the fall to do work of this kind than in the spring, and the suitable time is any time after the first of October. If the leaves have not fallen strip them off by hand. This is necessary, for if the growth is not completed the evaporation of the sap by the leaf dries up the bark of the seedling and considerably weakens if it does not actually destroy it altogether. It seems almost needless to point out the value of the hard maple. It is a tree both valuable for shade and for its sap to make into sugar, for which purpose alone it pays to grow in groves or in rows. Its wood is valuable for fuel and for lumber. The timber is used for flooring, and many uses too numerous to mention. Its foliage is clean and thrifty, and singularly free from insects of any kind. It is truly, in every sense, worthy of being the emblematical tree of Canada.

The Norway maple also forms an exceedingly handsome tree, (being superior for lawn or park purposes) to the sugar maple, having larger leaves and forming a dense round-headed tree of noble proportions, requiring only to be seen to be admired, and planted to be appreciated. It also ripens its seed in the fall, and requires the same attention advised for growing the other maples. When young it is a little tardy in growth, but soon afterwards makes a rapid and luxuriant growth.

There are many other sub-varieties of maples all of value, but known and grown for ornamental purposes principally. We have spoken hitherto only about growing the young trees from seeds, but in many places thousands of young trees in all sizes of growth, can be procured easily self-grown in the woods. Where such woods exist, having young seedlings growing in their midst, we advise procuring them in the fall, if possible. As at that time, there being no frost in the ground, and of a certainty much drier under foot, they can be collected with a greater degree of comfort, at any rate. Young plants of the elm, ash, birch and others, may be procured at the same time, assorting them afterwards into separate bundles for the sake of system and uniformity. In fact, so numerous are the self-sown plantations throughout the country, that hardly any one has any reasonable excuse for not having trees wherewith to plant. Where these seedlings can be procured, care should be observed to keep them covered from the sun by piling in a shady spot and covering with moss or other protection. Assort into sizes and trim roots and side branches, and plant in rows as before directed. Where it is not convenient to plant in fall, the young trees may be heeled in trenches in some dry spot, or may be kept in cellars, simply covering the roots with sand or soil. Remove any rubbish or weedy borders or other places of cover that would harbor mice, for this little animal plays great havoc by girdling the bark in the winter, particularly during heavy snow-falls. All plantations should therefore, have clean cultivation the first few years, as much to guard against these depredations, as well as to stimulate the growth of the young trees. After that time they furnish sufficient shade themselves to retard any undergrowth of weeds.

It may happen sometimes that opportunity offers to make plantations of young trees without the land being sufficiently rich to give a good after-growth to the trees. In such instances plough a furrow from the young trees on one side. This furrow fill up with good stable manure. A furrow thrown back again the opposite way will cover the manure, and furnishes in time all the

needed fertilization the young trees will require. But where it is possible, the deeper and better the land is cultivated the better the result. The question of distance is always a vexed one in regard to forestry, and taking the maple tree as an instance for all others, we say you have just the results that you may expect by considering the matter a little. The closer the trees may be planted, the weaker they will be; the farther apart, the stronger. As there is just so much nourishment for the roots in the soil, just so much moisture and just so many rays of sunshine, and nothing can add to or take from the whole sum; so that if twenty trees are planted where four should grow, you have the result of the growth of four trees divided into twenty. Or supposing an acre is planted with trees four feet apart each way, you would have 2,700. If planted eight feet apart, then you have 1,350. Those planted eight feet apart would give, at the same time, just as much return, if not more, than those planted four feet apart. I am inclined to think that six feet each way would be a safe distance, presuming the object is to grow trees for profit, etc. I omitted mentioning to give a summer pruning any time during July or August, not to touch leading shoots at all, but to trim off all side-shoots up to a height of say, six feet or higher, according to the sturdiness of the growth. Summer pruning may be omitted altogether where the trees show any indication to be weak or spindly; in such a case its better to leave all lateral growth, as this will tend to thicken the growth or the diameter of the main trunk, the after-growth of the main head will shade so much as to completely stop all lateral growth, and any remaining will eventually die and drop off naturally, similarly to what has occurred in the primeval forest.

All varieties of the elm ripen their seed in June, when it must be gathered and sown in beds and treated in the same way as recommended for the maple. The Scotch or Wych elm is more prolific in bearing seed than our native species, while its wood is just as valuable if not more so. It starts into leaf earlier, and retains its foliage longer and thrives in all conditions of soil with equal facility. The bark of this variety is smoother, and the buds rounder, than our native elm, and taken all in all, it is an exceedingly desirable forest tree. We do not wish, however, to detract anything from the estimation of our native elm, which we regard with the greatest admiration. It may be properly called the palm tree of Canada. Towering up to a noble height, its branches dividing from the single shaft and spreading out into graceful proportions, covered with abundant foliage, it presents, as a single specimen, one of the most beautiful objects to be seen in a Canadian landscape. For street planting I consider it to be the finest of all; growing rapidly to a height of forty to fifty feet, it permits a view of the houses and premises from the street, allowing the air to circulate freely; while its luxuriant foliage overhead gives grateful shade below. It bears transplanting with impunity as it rarely forms a tap root, and it can be moved as a large tree better than any other species. Its wood is used for many purposes, notably in carriage work, furniture or objects requiring bent or turned wood.

The other varieties, such as the corky elm and the red elm, differ but little in usefulness, excepting that they do not grow so large as the white elm. In nursery rows the elm soon makes a straight tree, but where there are two or more leaders it is advisable to tie them firmly together with hempen cord, so as to leave one straight leader, and cut the others back to within say six inches of the tied part. The spurs may be pruned close off as soon as the straightened part is firm enough to stand alone. This should be done with any of the other classes of trees that show two or more leaders. And to avoid repetition, the care necessary to produce one straight tree or grow it, for that matter, applies equally to all.

Coming to the *ash* family we find for general purposes this to be most useful

tree of all. The young trees are valuable almost from an inch in diameter, and enquiry made by the writer from one of the largest implement manufactories in the Dominion of forks, hoes and other farming implements elicited the reply that the principal wood used in their establishment was the white and black ash, and they were now finding great difficulty in getting sufficient supplies to carry on business with. When one establishment out of the many engaged is put to straits at the present time what must the dearth be, say twenty-five years from now, if some prompt means are not taken to replenish the present stock by replanting. The ash tree, of which there are many varieties, the most useful being the white ash, grows very rapidly and freely in all soils, particularly in moist and humid situations. Though starting later in growth than any other of the different trees with the exception of the locust, it is yet quite desirable as an ornamental tree, while its value as a timber tree cannot be over estimated. It ripens its seed in the fall when it should be at once sown in rows and mulched as before advised. Its after cultivation is the same as other trees and the writer recommends it for planting for profit alone by the acre. Mr. Budd of Iowa, states "that ten acres of ash trees grown six feet apart, contained twelve thousand trees and at twelve years of age were eight inches in diameter and thirty-five high. The wood from thinning paid all expenses of planting and cultivation. The bodies of the trees cut out sold for forty cents each, and the tops were ten cents more. Ten acres of this timber twelve years old were worth six thousand dollars." This seems to be a very practical statement, and from the growing scarcity of this wood it would follow that here is a profitable speculation for any of our planters to enter into.

Our two most common varieties of the oak family are the white and red, of which it is needless to state the former is the most valuable, and for durability, strength, and the many purposes it is applied to is the most valued of our native woods. It is second only to the hickory, but from the scarcity of this tree it cannot be said to compete. The better quality of white oak timber is said to be worth $100 the thousand feet and scarce at that. How necessary then that steps should be taken at once to propagate this valuable tree, as it grows well on all soils but freely on good soil, and sufficiently to warrant growing it for profit in an ordinary lifetime. The acorns ripen in October when they should be gathered and sown at once, and as this is one of the first of the nut trees to be mentioned the directions here given will apply to all that class. The hickory, chestnut, walnut and beech will grow under the conditions advised for growing the oak. Gather the acorns or nuts as fresh as you can, sow in drills made two to three inches in depth—the larger the nut the deeper the drill,—cover with soil, tread firmly and mulch heavily. This is the great requisite, as most of the nuts will grow on top of the soil if only mulched with leaves or manure. If not possible to plant in the fall then put into boxes and mix with damp sand and leave outside in a shady spot where they will not be disturbed till the following spring, when they should be planted as early as possible. From the seed bed transplant after one year's growth trimming off the tap root a little, say one-third of its length. There is no difficulty at all in transplanting the oak, chestnut, walnut, butternut or beech if they are planted promptly and not exposed too long to sun or wind. The hickory is the most diffident of all the nut trees, growing very slowly and forming a long tap root. In transplanting the hickory leave all root on it, simply bending it in the trench and tramping the soil very firmly about the collar. This for transplanting. It is recommended, however, to plant the nuts where they are to grow into permanent trees and giving a course of cultivation, with most thorough and frequent stirring of the soil keeping free of weeds, etc. To make it bear nuts early dig under with a sharp spade and cut the tap root, firming the soil back with a heavy tread of the foot. This has the same

effect as transplanting, only better, as it does not disturb any of the few fibres that may be growing laterally in the soil. The walnut and butternut both bear having the tap root cut back and transplanting quite readily, and the oftener they are transplanted when young the more easily they may be transplanted when they become large nursery trees; growing the nuts in sandy soil of any of the nut class of trees will induce more fibres than if they are sown in clay land, which they should never be at first. The sweet chestnut, which is rather a shy tree in transplanting, is easily grown from seed. Keep the nuts, after getting them as fresh as possible, in boxes well mixed with damp sand in the cellar in a cool temperature, so that they do not rot or mould. Sow the nuts in rows in spring say four inches apart and cover with a half an inch of soil. Cover the young growth the succeeding fall with coarse litter or loose straw six inches deep, transplanting the following spring. To return to the oaks, no one need be deterred from growing them for fear of not succeeding. They transplant quite easily up to a height of from three to four feet, but after that the percentage of loss would be too great to bother with them.

Our native basswood is a handsome, rapid-growing tree. The wood is of great utility from its toughness and lightness, and enters largely into modern manufacture. The seed ripens in the fall, when it should be gathered and sown. The European variety, or linden as it is commonly called, is grown by our nurserymen for ornamental purposes, and planted largely by apiarists as its flowers are said to yield a very superior honey. It is imported from European nurseries, where it is grown very largely. An avenue of this tree is planted in Berlin, Germany, which has become quite historic, and is often referred to in the doings of great personages as "Unter der Linden." This variety has not as large leaves as our native tree, and is very subject to attacks of the borer, which very much curtails its longevity.

One of the most useful trees, as well as being a very rapid grower and coming soon into the market for many uses, is the European larch. This variety is quite superior to our native tamarack, growing more erect. It is imported at such a small cost from the old country that it would not pay any one here to grow it from seed, unless they made a specialty of it along with evergreens which require the same treatment. The larch occupies a middle place between the deciduous and evergreen classes of trees. It belongs to the coniferae, from having cones, the wood being resinous, the arrangement of its leaves and branches the same as the spruces, but it resembles the deciduous because it drops its leaves. In this it resembles the deciduous cypress. It is the earliest tree to commence growing in the spring and therefore should be planted in the fall or the very first thing in spring. A row of trees which the writer helped to plant in 1873 are now from thirty to forty feet high and varying from eight inches to a foot in diameter one foot from the ground. They could now be cut down for fence posts, shed rafters or scaffolding poles, or firewood. The trees are as straight literally as gun barrels and present a very fine appearance.

Both our native basswood and European linden furnish that useful material, indispensable with nurserymen and gardeners, termed bass matting, and its production is as follows: Early in summer, say about the first of June, sections of the bark of matured trees from one foot to three in diameter are removed in widths of a foot wide and six feet in length or thereabouts; these are laid in a shallow pit and covered with water; there they remain from two to three weeks; when the inner bark will be found to come off in sheets of a thin papery-like substance, but of sufficient strength to be used for tying up all kinds of buds and plants, or any work common in greenhouses and nurseries. In the old country it is woven into mats, useful for shading and protecting hot-beds, or for packing purposes in hardware and crockery business.

Speaking of soft wooded trees, such as willows and poplars, we wish to draw attention to their great value for retaining banks by taking cuttings of stout one and two year old woods, a foot in length, and pushing into the bank or by making notches with a spade and inserting the cuttings to the topmost bud, making sure to firm the soil well around them. They soon grow and serve the purpose of nurses to other trees, such as maple, birch or evergreens of the different kinds, as pine, cedar and spruce. After these are well established, the willows or poplars may be cut down repeatedly till such times as the harder wooded and more valuable trees occupy the ground. The planting of the side hills and deep bluffs, now naked and bare, would conduce greatly to keeping up a supply of fresh water during the season in the flats and creek beds now so universally dry and bare during the hot weather. We know of thousands of acres of side hills that are entirely unfit for cultivation, that could be made to serve the necessary purposes for providing shade and shelter, wood and water, by replanting in the way we have pointed out. The retention of the winter's snow by the shade of the pine and cedar, would prolong the supply of fresh, cool water, a desideratum on stock farms too valuable to be estimated. We well know now that springs and watercourses familiar to us in boyhood, have long since dried up, not altogether due to the deforesting of the tree clad hills and valleys, but also to the universal practice of underdraining. We well know that where drains, surface and under, are in good working order, the surplus moisture in the land is soon run off on the hill sides or into natural hollows, which in the spring run off the water, flooding the creeks and lower lying lands. But I do not say a word against underdraining; that would be an outrage on all accepted canons of agriculture that I do not dream of committing, but I do say leave the trees and all possible undergrowth to protect the banks and hill sides, so that where drains, under or over, discharge their contents, it can be used to irrigate the banks and covers, furnishing the needed moisture to stimulate the growth of what may be now growing, and to start the dormant tree seeds that lie plentifully enough beneath By doing this the arable uplands and plateaus are kept well-drained, but fringed around with a crown of sheltering trees, that break the biting winds from every quarter, retaining the snow—nature's protector in this land of sunshine—as well as keeping the land well drained. So that each operation will work to the other's advantage. This is the only happy medium in Canada.

With many, the great objection to forest tree planting is, that it takes so long a time to grow trees, forgetting that every season they thus delay they are prolonging this time indefinitely. Inside of twenty years the writer has seen piles of cordwood, nearly as long as the rows of trees they were cut out of, cut from trees he had helped to plant as cuttings and young plants from seed bed. While long before that the same rows furnished trees thinned from them that are now growing on streets and in parks, an ornament to their surroundings and a lasting credit to their planter.

In evergreens we are particularly rich in Canada. The species indigenous to our soil, comprises the most valuable woods in the world. From the great demand, however, and the reckless destruction that follows in the wake of the lumberman, the most prompt steps should be taken at once to conserve what we may have left, as well as to renew by replanting. Towards this object then, every energy should be directed before we kill the bird altogether that lays the golden eggs. All varieties are easily grown from seeds sown in a shady, moist location, but where the young plants have free access to air. A suitable bed is made by having cold frames, that is boards six inches deep, five feet wide, and any lengths to suit the quantity of seed desired to be sown. Make the bed of

sandy loam, and sow thinly in drills six inches apart and half-an-inch deep, covering slightly and pressing the soil firmly with the rake head, shade the bed with lath frames nailed diagonally with diamond-shaped insterstices, this gives that shifting shade and light the plant would if receive grown in a natural way in its natural forest. When young seedlings appear, litt the outside frames sufficiently high to permit a brick or other object being set underneath to keep it there. This has the effect of allowing the air to circulate freely amongst the young plants, hardening them and drying the surface of the soil, thus preventing what is termed damping off. Seeds may be procured from the cones, which should be gathered in the fall and hung up in muslin bags in a warm place, the temperature reflexing the scales of the cones, allowing the good seed to fall out into the muslin. Keeping them this way prevents mice from eating the seeds, besides preserving the seeds from mould and mildew.

When is the proper time to plant evergreens is a question frequently asked. When a person is careful to keep roots damp and covered up from the sun and wind an evergreen may be planted at any time of the year. The writer has helped to plant hedges in August which have grown with scarcely requiring a plant to be renewed, simply because they were not exposed, and were freely watered after being planted, but to definitely state a time to suit all varieties and locations we say any time during the month of May. At this time when the roots are beginning to show the young white tips of the new growth and top buds are also showing signs of starting we have always found to be the most fortunate time. When setting out young trees from woods or nurseries, be sure to make a what is termed a grout or in other words a thin mud of clay into which dip the roots, this forms a moist adhesive covering which prevents undue exposure of the roots till such time as they come in contact with the soil in new plantations. In planting be careful not to plant too deep; more trees die from deep planting than by being too shallow. Allowing for the subsidence of the soil after planting, a tree should then stand the same depth in the soil as its roots were covered in its former nursery or forest home. Firmly tramping the soil is the most necessary act in successful planting, and also to be careful not to allow any fresh manure to come in contact with the roots. It would be fatal kindness to allow that, but if the soil requires enriching rather put it as a mulch on top of the soil. Evergreens are impatient of manure anyway, and thrive on thin sandy soil better than any other class, so long as it is naturally dry or made so by artificial drainage. In making young plantations or setting out plants for the purposes of growing, to draw from as occasion may require in planting shelter belts, put them as closely together in rows and have the rows as close also as will permit cultivation. By so doing, the plants give mutual protection, shading the ground, keeping the roots cool and moist, and creating that still atmosphere amongst its branches so conducive to the health of evergreens; never plant evergreens among deciduous trees but always in groups or rows by themselves; the drip from the foliage of large leaved trees and their overshadowing influence is particularly fatal to evergreens.

HOW TO PROCURE GOOD FOREST TREES FOR PLANTING.

The following article is by the Hon. H. G. Joly, Quebec, and was read by him at the late forestry meeting there. It contains, in short space, much useful knowledge, and may be thoroughly depended on:—

It is not easy to procure young forest trees worth planting. The trees raised in the *nurseries* can generally be relied upon, and they are sold at

moderate prices, but owing to distance, want of easy communication, delays in forwarding and delivering, (which are often the cause that the trees, when received, are unfit for planting) and to the cost, however moderate, it is very seldom that the farmers have recourse to the nurseryman for the *forest trees* they intend planting. (I do not allude, here, to *fruit trees*).

They generally go to the woods for them, often a distance of several miles. Those who have tried it know how hard it is to find such trees as they want, how much time and trouble it takes to dig them up, and how impossible it is, even with the greatest care, to avoid wounding and tearing off the roots. They know, too, how little satisfaction they have generally derived from all that work. Trees taken out of the forest and transplanted on the open, are placed at a great disadvantage; they fail so often that people get discouraged, and many give up tree planting as too difficult an undertaking.

Nothing is easier; in the proper season, with soil fit to grow the kind of tree you wish to plant, if the tree is *in good order*, with a little care you ought to succeed. But the trees you dig out of the woods are seldom in *good order*, and they cost you a high price in time, if not in money. If you wish for good trees, in great number, safe to grow without trouble or expense, procure them from a nursery, *but let that nursery be your own.*

Any farmer can start, in the corner of his garden, a nursery of forest trees, by sowing the seeds of the trees he wishes to plant. With a little observation, it is easy to find out when the seed is ripe. For instance: towards the end of June, beginning of July, the seed of the *elm* and of the *soft maple* (acer rubrum) is ripe; by sowing it at once it will sprout, and the little trees grow nearly one foot in height this summer.

The maple, oak, ash, birch, butternut, etc., ripen their seed in autumn. Better sow it at once than winter it in the house. Sow in straight rows, with a garden line, leaving a picket at each end to guide you when weeding. Sow, say half-an-inch deep for the maple seed, and for other kinds, in proportion to the size of the seed, two or three inches deep for butternut and walnut. Thin after the first year, if needed, and transplant further on the little trees removed in thinning. After three or four years, more or less, (the time will depend on the rate of growth of each kind of tree) plant your young trees where they are destined to stay. Choose a cloudy or rainy day in the spring, and, without leaving home, with no trouble, without breaking any roots, you will take up and plant at once, without allowing the roots time to dry, one hundred young trees, certain to grow, in less time than it would take you to go to the woods and dig up ten trees, with a poor chance of their taking root and living.

These young trees will cost you nothing; your children will soon learn how to weed them and take care of them, especially if you set them the example. Our own children, when quite young, took pleasure in sowing acorns and watching the growth of the young oaks as they came up. By sowing you can procure, with no expense, any number of young trees, and re-wood, by degrees, all the land which is not fit for cultivation and ought to have been kept as wood land.

But do not forget to *fence* carefully your nursery and your plantations, so as to keep out the cattle. No use planting trees without fences: the cattle will destroy everything.

In many cases nature will spare you the trouble of sowing. Where the ground is favourable, in July and August, along the ditches, the roads, the fences, on the moss on barren patches, wherever there is a little dampness, in the neighborhood of the *elms* and *soft maples*, you will find hundreds of young elms

and maples just sprung up from the seed fallen from those trees; plant them in your nursery, *try it this summer*; the seed of the elm is so minute and delicate, that it is better to pick up those young seedlings than to attempt sowing the seed.

In the maple groves the ground is covered with a regular carpet of young maple seedlings. You can pull them up easily by hand in the fall or early spring, when the ground is still damp, without breaking any of the small roots. Plant them at once in your nursery.

It is very difficult to collect pine and spruce seed. Early in the spring, when the ground is still soft and spongy in the pastures, near where those trees grow, you will see a number of young pines and spruces that you can pull up very easily; plant them at once, for that kind of tree you must shelter from the sun until they are well rooted.

Whenever the ground of a garden has been dug up and worked in the fall, if there are any maple or ash growing in the neighborhood, it will be noticed that the ground in the spring is more or less covered with maple and ash seedlings, grown from the seeds fallen from those trees. It takes a very little time to pull up and replant hundreds of them, and scarcely any of them will fail; of course they must not be pulled up too roughly or it may damage the delicate roots; if the ground is too hard use a trowel. As much as practicable, they ought to be pulled up when they have only got their two first leaves, which are easily known by their peculiar shape, long and narrow, from one inch and a half to two inches long, and about a quarter of an inch wide.

For several years past I have been seeking the cheapest and, at the same time, most effective mode of restoring the woods, where they have been completely destroyed. Many of our old settlements are completely denuded of trees, and I can recommend the simple mode as the best, from my personal experience. Let those who suffer for the want of fuel, of timber for building, of trees for shelter and ornament, and those who would look to have a sugar maple grove at their door, let them start their own nurseries this very summer; it will entail no expenditure of money, take but very little time, and repay them bountifully. It will be a pleasure for me to give any further information, and advice to all those who may apply for it.

H. G. Joly De Lotbiniere.

Leclercville, P. Q., May 1, 1890.

INFLUENCE OF WIND-BREAKS ON FRUIT PLANTATIONS.

This question, of very great importance to the farmers of Ontario, is not viewed by all alike. The best writers recommend wind-breaks for fruit plantations, but fruit growers are not so unanimous. I have endeavoured to obtain the opinion of Canadian farmers on this subject, but the replies were not sufficiently numerous for the purpose. It happens, however, that the College of Agriculture of the Cornell University, has instituted a wide-spread enquiry into the matter, and have obtained a large number, that is to say, forty-eight replies stating definite results. They chose New York and Michigan for their enquiries. As it is impossible to condense their information closely, I have copied their tables of answers, both as to effects observed from, and the proper methods of planting wind-breaks:—

I.—Experiences Favorable to Windbreaks.

A. IN NEW YORK.

Observer.	Site and Soil.	Direction of Prevailing or severest winds.	Location in reference to large bodies of water.	Kinds of fruit grown.	Kind of Windbreak.	Benefits Derived.
Patrick Barry, *Rochester.*	Various.	W.N.	About 6 m. South Lake Ontario.	All kinds.	Norway spruce, European larch and other evergreens.	"We regard windbreaks, in this country, as of vast importance, not only in fruit culture, but for the comfort of man and beast."
Irving Rouse, *Rochester.*	Same level as surrounding land. Clay.	N.	do	Apples.	Norway spruce, on Northwest.	Increased crop. Less loss from wind-falls. No loss from severe cold.
J. Wentz, *Rochester.*	High, sandy loam.	W.	do	Plums.	Siberian arbor vitæ.	Good.
T. G. Yeomans & Sons, *Walworth.*	Undulating, strong, sandy loam.	W.	About 8 m. South Lake Ontario.	Apples, Dwf. Pears. Quinces, small fruits.	Norway spruce, mixed belts, and natural forest.	Prevent windfalls. Render orchards more uniformly productive and longer lived. Render labor easier.
W. T. Mann, *Barkers.*	Slightly rolling, clay and sandy loams.	W.SW. NW.	2 m. South of Lake Ontario.	General.	Row of Norway spruce on W., set 2 ft. apart in 1874.	Fruits, especially pears and berries, have blossomed and ripened several days earlier near windbreak. Fewer windfalls. Retains snow for 10 to 15 rods from windbreak.
B. W. Clark, *Lockport.*	.....	SW.	About 10 m. S. L. Ontario	General.	Norway spruce, natural forest.	Good.
G. W. Dunn, *Pierce's.*	Same elevation as surrounding orch'ds. Loam.	W.	On Lake Ontario.	Apples.	Beechwood land.	Trees start earlier. Fruits hang on longer. Winter apples more easily gathered.
C. P. Whitney, *Orleans.*	Very high ridge W. slope. "Limestone."	W.N.	N. of Canandaigua and Seneca L —about 8 miles.	Apples set in '73 and '74.	Natural forest.	"I see no difference in the growth of trees, except that they stand straighter where they are protected."
V. B. Wheat, *Orleans.*	High, sandy loam, ranging to gravel.	W.N.	do	Grapes, Apples, Peaches.	Natural forest.	"I am very certain that the protection from forest is beneficial in various ways."
S. C. Davis, *Medina.*	High. Clay and gravelly loam.	W.N.	About 10 m. So. L. Ont.	General.	Norway spruce.	Good.
E. B. Norris, *Sodus.*	Mostly high. Sand, grav. loam	W.N.	On Lake Ontario.	Apples.	Norway spruce.	Good.
C. H. Perkins, *Newark.*	.....	W.	About 15 m. So. L. Ont.	Sml fruits, grps, q'nces & peaches.	Norway spruce.	Protects from cold snaps; "no telling the good a windbreak will do."

W. G. Ellwanger, *Canandaigua.*	High.	W.	On Canandaigua Lake. Midway bet.	Orchard fruits & nursery st'k.	.....	Fewer windfalls. Prevents ground from freezing too deep and destroying nursery stock.
H. J. Peck, *Seneca Castle.*	E. and W. slope. Heavy loam.	W.	Canandaigua and Seneca Ls. About 6 miles.	Apples set in 1873.	Closely planted apple orchard on the west.	Fewer windfalls. Trees become more firmly rooted, and are more upright.
G. C. Snow, *Penn Yann.*	100 to 500 ft. elevation. Gravelly loam.	W.	At north end of Keuka L.	Peaches, apples, grapes.	Natural forest on W. and S. W.	Fewer windfalls. Less liability to damage to fruit buds from cold. Retains snow and leaves.
C. W. Pierson, *Waterloo.*	Slightly higher than adjacent lands. Sdy loam.	W.N.	Bet. Cayuga and Sen. L. —about 5 m.	Peaches and apples.	Norway spruce hedge, kept cut back to 10 or 12 ft.	"The result, I think, has been beneficial to the peach crop."
A. I. Hulett, *Elba.*	Gravelly loam.	W.SW.	About 20 m. south Lake Ontario.	Apples and pears.	Natural forest.	"Apples and pears so protected rarely fail, while others, on equally as good soil and exposed, fail one year out of three."
P. B. Crandall, *Ithaca.*	High.	W.	At south end of Cayuga Lake.	Peaches.	Farm buildings on north.	"Trees will blossom full this spring; in the field with no protection, buds have been mainly destroyed."
J. J. Thomas, *Union Springs.*	.....	W.	Near N. E. cor of Cayuga Lake.	Pears.	Double row of Norway spruce on west.	Trees near the windbreak less injured by cold winter winds.
Anthony Lamb, *Syracuse.*	Same levl as adjacnt lnds. Clay l'm	W.N.	Near Onondaga Lake.	Nursery stock, grass and grain.	Norway spruce.	Much less injury to nursery stock from cold.
E. A. Powell, *Syracuse.*	do	W.N.	do	Nursery stock, also gen'l crops.	Norway spruce.	Protects nursery stock from effects of cold.
G. T. Powell, *Ghent.*	100 feet above adjacent lands. Gravelly loam.	W.N.	About 8 m. east of Hudson River.	Apples, pears, grapes and cherries.	Elms, maples and Norway spruce.	"Saves a large amount of fruit from being blown off." Holds snow. Lessens evaporation from the soil. Encourages birds.
Charles Gibson, *South Haven.*	High. Sand.	W.SW.	On east bank of Lake Michigan.	Peaches.	Lombardy poplars and natural forests.	Keeps fruit from blowing off, and prevents breaking of trees when loaded with fruit or ice.
R. Linderman, *South Haven.*	Very high. Sandy.	W.SW.	On east shore of Lake Michigan.	Peaches.	Norway spruce on the west.	Protects from cold winds, especially in blossoming time. In a certain year a NW. wind in blossoming time, destroyed half or more of the crop on west of screen, but the protected orchard had a full crop.
H. J. Edjell, *South Haven.*	Very high. Sandy.	W.SW.	On east shore of Lake Michigan.	General.	Norway spruce enclosure.	Temperature is 5° higher in protected places in very cold weather. The most productive grapes are next windbreak. "I am thoroughly convinced of the value of a windbreak."
L. H. Bailey, *South Haven.*	High. Sandy.	W.SW.	On east shore of Lake Michigan.	Apples.	Apple orchard.	Windfalls are half less where trees are protected.

EXPERIENCES FAVORABLE TO WINDBREAKS.—*Continued.*

OBSERVER.	Site and Soil.	Directions of prevailing or severest winds.	Location in reference to large bodies of water.	Kinds of fruit grown.	Kind of Windbreak.	BENEFITS DERIVED.
J. F. Taylor, *Douglas.*	80 to 100 ft. ab. lake. Sandy.	W.SW.	90 rods E. of L. Michigan.	Apples and peaches.	Nat. forest, Lomb poplars, Scotch pine.	Retains snow. Prevents the falling off of fruit.
G. C. McClatchie, *Ludington.*	High.	W.SW.	On Lake Michigan.	Peaches and plums.	Natural forest.	Retains snow, and thus greatly protects trees.
S. M. Pearsall, *Grand Rapids.*	Same elevation as surrounding lands. Gravelly loam.	N.W.	About 25 miles east of Lake Michigan.	Apples.	Black walnut and butternut.	"The trees were not affected by the winds as much as my other orchards, and, I think, withstand the frosts better."
H. H. Hayes, *Talmadge.*	50 to 100 ft. higher than adjoin'g lands. Clay.	E.NE.	About 20 miles east of Lake Michigan.	Apples, peaches and grapes.	Natural forest.	Protects trees from cold snaps.
J. N. Stearns, *Kalamazoo.*	Same level as adjoining lands. Gravelly loam.	W.	40 miles east of Lake Michigan.	Bush fruits and grapes.	Norway spruce hedges, 12 to 15 feet high.	Holds snow, the protected "plants coming out much more fresh than those exposed." In summer, prevents wind from drying up the fruit.
R. J. Coryell, *Jonesville.*	High, sndy loam S.W. exposure.	S.W.	Inland.	Apples and bush fruits.	Nat. forest and row of deciduous trees.	On side next the windbreak, more healthy trees and fairer fruit.
L. D. Watkins, *Manchester.*	60 ft. above adjoining lands. Gravelly loam.	W.N.	Inland.	Apples and peaches.	Second growth forest.	Protects from cold. "Peach crop has failed but once in eight years. All orchards failed in this vicinity except these and a few protected trees.
J. Austin Scott, *Ann Arbor.*	.....	N.W.	Inland.	Apples and pears.	Norway spruce and arbor vitæ hedges.	Good.
J. D. Baldwin, *Ann Arbor.*	Very high. Clay. Somewhat elevated. Strong clay loam.	N.W.	Inland.	Apples, pears and peaches.	Second growth forest and Norway spruce.	Good for apples and pears.
D. G. Edmiston, *Adrian.*		S.W.	Inland.	Apples and pears.	Norway spruce.	Protected trees are healthier, and better shaped than others.
E. P. Allis, *Adrian.*	High. Heavy.	W.N. SW.	Inland.	Grapes, cherries, quinces, bush fruits.	Apple orchard.	"I think it is a great advantage."

Partial Summary of Table I.

Benefits Experienced.	Number of observers.	No. occupying high sites.	No. occupying comparatively low sites.	No. occupying light soils.	No. occupying clay or heavy loams.	No. evidently influenced by bodies of water.	No. evidently not influenced by bodies of water.
In general,.....	37	21	8	17	11	27	10
Protection from cold,.....	12	7	3	5	3	9	3
Lessening of windfalls,.....	11	6	4	6	4	10	1
Retention of snow,.....	6	4	2	4	2	4	2

2.—Definite Observations which Favor Windbreaks.

Observer.	Site and Soil.	Direction of prevailing and severest winds.	Location in reference to large bodies of water.	Kinds of fruit observed.	Kind of windbreak observed.	Benefits Observed.
O. J. Weeks, *West Webster.*	In general.	.....	Very near Lake Ontario.	Apples and pears.	Forests and artificial shelter beds.	Fewer windfalls; "some years, more than one-half the entire crop" blowing off in exposed orchards, while few blow off in those well protected.
D. Bogue, *Medina.*	Clay loam.	.....	About 10 miles S. of Lake Ontario.	Pears, apples, cherries and plums.	Norway spruce hedge.	Fewer windfalls.
W. C. Almy, *Dundee.*	In general.	N.W.	3 m. west of Seneca Lake.	In general.	Natural timber.	"Where the wind is very severe, a windbreak on the north and west would be very valuable"
A. Hammond, *Geneva.*	In general.	N.W.	N. end of Seneca Lake.	In general.	In general.	Fewer windfalls. High ground on the west is "quite important in many respects."
A. S. Dyckman, *S. Haven, Michigan.*	High. Sandy.	W.SW.	On E. shore of L. Michigan.	Peaches.	Evergreen hedge.	Prevents the blowing off of snow and sand.
C. J. Monroe, *S. Haven, Michigan.*	In general.	W.SW.	On E. shore of L. Michigan.	General.	Street trees.	"If all our highways were bordered with good rows of trees, we should find much advantage from them."

4.—Experiences Adverse to Windbreaks.

Observer.	Site and soil.	Direction of Prevailing and severest winds.	Location in reference to large bodies of water.	Kinds of fruit grown.	Kind of Windbreak.	Injuries Sustained.
H. M. Jaques, *Lockport.*	.....	SW.	About 10 miles So. L. Ont.	Apples and pears.	Natural forest on North.	"Apples next the woods are poor color and very wormy."
S. D. Redman, *Newfane.*	Level. Gravelly loam.	W.SW.	Very near L. Ontario.	Quince.	Norway spruce hedge on E. W. and N.	"Have not been able to detect any difference in trees or fruit from those not so protected."
Julius Harris, *Ridgeway.*	Sandy loam.	W.	About 5 miles So. L. Ont.	Apples and Peaches.	Natural forest.	Next the windbreak, trees less thrifty and apples fall more and earlier.
Geo. Catchpole, *North Rose.*	Same level as adjoining land-Sandy and clay loam.	W.	About 5 miles So. L. Ont.	Apples and Peaches.	Natural forest on East, North and We t.	"The more windbreaks, rail fences, brush and other matter, the more insects."
Oscar Weed, *North Rose.*	.....	W.	About 5 miles So. L. Ont.	Apples.	Natural forest on West.	"The trees along the woods for several rows were more infested with worms than the balance of the orchard and bore less fruit."
C. H. Hess, *Castile.*	Somewhat elevated. S. & E. exposure. Gravelly loam.	W.NW.	Inland About 4 m. S. of Silver Lake.	Apples.	Natural forest on North&North-West.	"It has been very noticeable that the fruit grown on the part of the orchard toward the piece of woodland is always wormy, knotty and inferior, never suitable for barrelling."
N. J. Edmunds, *Brockport.*	High. Sandy loam.	W.	About 10 miles S. L. Ont.	Peaches and Apples.	Natural forest.	"The best results in both apples and peaches were where the trees were most exposed to the wind and sun, and the poorest within ten rods of the forest."
M. F. Varney, *North Collins,*	.....	SW.	About 8 miles East L. Erie.	Grapes.	Natural forest.	"Have noticed some times that grapes do the best where the wind is least broken."
W. G. Ellwanger, *Canandaigua.*	High.	W.SW.	On Canandaigua Lake.	Peaches.	....	"I find that for peaches it is the best to have no protection."

5.—Definite Observations Adverse to Windbreaks.

Observer.	Site and Soil,	Direction of Prevailing and severest winds.	Location in reference to large bodies of water.	Kinds of fruit observed.	Kind of windbreaks observed.	Injuries Observed.
W. Hopkins, *Lewiston.*	In general.	W.SW.	On Niagara R. about 8 miles So. L. Ontario.	Apples and Peaches.	In general.	Fruit more wormy.
J. A. Root, *Skaneateles.*	In general.	.....	On N. end of Skaneateles L.	In general.	In general.	"Late spring frosts do far more damage to grapes, peaches, etc., in a protected location than where the wind has free play."
A. S. Dyckman, *So. Haven, Mich.*	High. Sandy.	W.SW.	On east shore of L. Michigan.	Peaches.	Natural forest.	"More frosty."
Members of Grand R. Valley Hort. Society, *Grand Rapids, Mich.*	High. Gravelly.	W.	About 25 miles East of Lake Michigan.	Peaches.	In general.	"W. N. Cook, Chas. W. Garfield, S. M. Pearsall, and John Pailow, were all agreed that windbreaks are not desirable, as a cold wave is likely to settle down on trees when immediately under the shelter, which those farthest away have escaped.
W. N. Cook, *Grand Rapids, Mich.*	In general.	W.	About 25 miles East of Lake Michigan.	Peaches.	In general.	"In the summer following the cold winter of 1872-3, I travelled over a large part of Kent and adjoining counties, and closely observed the influence of windbreaks. Wherever peach trees were situated on the east side of such timber belts, they were all killed, and the Baldwin apple fared little better; while on exposed places of the same elevation, the trees were alive and often bearing fruit. I saw several peach orchards with protecting thickets on the east, and they were unmjured."
J. A. Pearce, *Grand Rapids, Mich.*	High.	SW.	Ab. 25 m. E. of L. Michigan.	Peaches.	.....	Trees killed by cold winters next the windbreak.
J. F. Fitzsimmons, *Hillsdale, Mich.*	....	SW.W. NW.	Inland.	.....	Natural forest.	"Have known orchards protected by woods on NW. and W. to do well, and have known them to do equally well without protection. Do not believe that a single windbreak is of any advantage."

II.—Proper Location and Manner of Making Windbreaks

I.—*The Location.*

The answer to this printed question must vary greatly with circumstances and with the kind of fruit. Some localities are greatly exposed to prevailing winds; others are screened by hills or sheltered in depressions, and do not need screens. But our hardiest fruits are better off with some protection.—*J. J. Thomas, Union Springs.*

Where we have occupied grounds with a western exposure, we have usually planted lines of Norway spruce on the western border. * * * How to avoid the severity of the west winds has been a constant study with us.—*Patrick Barry, Rochester.*

Wherever the orchards or small fruit plantations would otherwise be exposed to strong winds.—*W. T. Mann, Barker's.*

Where the wind has a sweep of a mile or more.—*B. W. Clark, Lockport.*

Under all circumstances with which we are acquainted, peach trees should not be planted nearer than five rods from a dense windbreak, or the drifting snow will break them down. Apple trees may be planted some nearer.—*Geo. W. Dunn, Pierce's.*

Should plant windbreaks for all fruits except apples. No telling the good a windbreak will do.—*C. H. Perkins, Newark.*

Where there is a long exposure to west and south-west winds.—*A. I. Hulett, Rochester.*

Under all circumstances where ground is exposed to severe winds.—*Irving Rouse, Rochester.*

In all bleak locations; also to a moderate extent as ornaments and for general protection.—*S. C. Davis, Medina.*

Where an orchard has a northern and western exposure.—*E. B. Norris, Sodus.*

1st. Where it is impossible to get a good exposure; 2d, where fruit is planted which is especially liable to loss from wind, as King apples or Duchess pears.—*H. J. Peck, Seneca Castle.*

Upon a site that is exposed to a cold and bleak north or west wind.—*C. W. Pierson, Waterloo.*

Where orchards and fruit plantations are so situated as to be exposed to cold bleak winds; in fact, in all exposed places I have no doubt windbreaks are very beneficial.—*Anthony Lamb, Syracuse.*

On all elevated, exposed locations, in order to hold the snow more evenly over the land and to prevent the evaporation that takes place rapidly with a high wind. Also to furnish nesting places for birds.—*Geo. T. Powell, Ghent.*

In all windy places.—*D. Bogue, Medina.*

Where the wind is very severe, a windbreak on the north and west would be very beneficial.—*Wm. C. Almy, Dundee.*

In exposed places where sandy ridges are liable to blow away.—*A. S. Dyckman, South Haven, Michigan.*

I would set nut-bearing trees on the north and west of all fruit orchards, for protection and for the nuts.—*S. M. Pearsall, Grand Rapids, Michigan.*

Where the snow blows off.—*Geo. C. McClatchie, Ludington, Michigan.*

I would recommend them wherever land is exposed to raking winds, first for retaining snows on the ground; second, to protect fruit from winds.—*J. F. Taylor, Douglas, Michigan.*

In my situation I should want the windbreak some forty to eighty rods from the orchard on the west, and extend to the north. Do not think it would

be safe to plant one close upon the west side of my orchard, for fear of still air settling down over the break.—*H. H. Hayes, Talmadge, Michigan.*

For all small fruits especially, for all soils and localities.—*J. N. Stearns, Kalamazoo, Michigan.*

Where the land slopes to the prevailing wind. Should want it only high and thick enough to break the force of the wind, not to produce a dead calm. —*R. J. Coryell, Jonesville, Michigan.*

In all exposed situations.—*L. D. Watkins, Manchester, Michigan.*

Would plant my hedge on the side where most exposed to high winds.— *J. Austin Scott, Ann Arbor, Michigan.*

Wherever the grounds are exposed to the south and west winds.—*D. G. Edmiston, Adrian, Michigan.*

2.—Character of a Good Windbreak.

We have usually planted lines of Norway spruce on the western border. Sometimes a line of European larch is planted with the spruce. These and the Scotch and Austrian and white pine are all good for windbreaks.—*Patrick Barry, Rochester.*

Evergreens are certainly preferable to deciduous trees. Judging from observation, Norway spruce in single row planted two feet apart is best.—*W. F. Mann, Barker's.*

We should recommend the Norway spruce planted in a single row from six to eight feet apart, or set four feet and every other one removed in a few years. If the location is much exposed, we would recommend a row or two of maples on the windward, set from eight to ten feet apart in the row, the rows being from ten to fourteen feet apart.—*T. G. Yeomans & Sons, Walworth.*

The best kind I ever used or saw, was a good Norway spruce hedge set close enough together to make a tight break, and trimmed back until they had formed a tight hedge, at least ten feet high.—*E. B. Norris, Sodus.*

I do not believe that a solid windbreak would be desirable, as a circulation of air is necessary. We need only to break the power and force of the wind.— *Geo. T. Powell, Ghent.*

Evergreens.—Norway spruce, Austrian pine, Scotch pine, etc., planted in wide belts and not too close, but irregularly, something like nature.—*A. Hammond, Geneva.*

Something tall but not too thick, that will allow a free passage of wind, but moderate its force. I have some faith in Lombardy poplar trees for this purpose. —*A. S. Dyckman, South Haven, Michigan.*

Norway spruce every time, set four feet apart. Keep well sheared and you can have a perfect hedge as high as twenty or even thirty feet.—*J. Austin Scott, Ann Arbor, Michigan.*

General Summary.

1. A windbreak may exert great influence upon a fruit plantation.

2. The benefits derived from windbreaks are the following: protection from cold; lessening of evaporation from soil and plants, lessening of windfalls; lessening of liability to mechanical injury of trees; retention of snow and leaves; facilitating of labor; protection of blossoms from severe winds; enabling trees to grow more erect; lessening of injury from the drying up of small fruits; retention of sand in certain localities; hastening of maturity of fruits in some cases; encouragement of birds; ornamentation.

3. The injuries sustained from windbreaks are as follows: Preventing the free circulation of warm winds and consequent exposure to cold; injuries from insects and fungous diseases; injuries from the encroachment of the windbreak itself; increased liability to late spring frosts in rare cases.

a. The injuries from cold, still air is usually confined to those localities which are directly influenced by large bodies of water, and which are protected by forest belts. It can be avoided by planting thin belts.

b. The injury from insects can be averted by spraying with arsenical poisons.

c. The injury from the encroachment of the windbreak may be averted, in part at least, by good cultivation and by planting the fruit simultaneously with the belt.

4. Windbreaks are advantageous wherever fruit plantations are exposed to strong winds.

5. In interior places, dense or broad belts, of two or more rows of trees, are desirable, while within the influence of large bodies of water, thin or narrow belts, comprising but a row or two, are usually preferable.

6. The best trees for windbreaks in the north-eastern states are Norway spruce and Austrian and Scotch pines, among the evergreens. Among deciduous trees, most of the rapidly growing native species are useful, A mixed plantation, with the hardiest and most vigorous deciduous trees on the windward, is probably, the ideal artificial shelter belt.

L. H. Bailey.

FORESTRY FOR CANADA.

By H. G. Joly de Lotbiniere.

The forest does not only supply the invaluable commodities of fuel and lumber, it exercises a great influence on the climate, and on agriculture. If science has not yet admitted that the presence of forests increases the rainfall (by condensation of vapour held in the atmosphere, owing to the lower temperature of the forest land, or by other means) it is universally admitted that the forest regulates, throughout the year, the distribution of water in our streams, contributes to retain the moisture favorable to vegetation, retards evaporation, and checks the effects of drying winds.

Unfortunately, it is only after the forest is gone, that its value is truly appreciated, as in the south of France, Spain, Italy, Greece and many other countries, once fertile, now barren and unproductive. The two great extremes, long drought and disastrous inundations, are due to the same cause, viz.: the wholesale destruction of the forests, especially on the mountains, the birthplace of the streams. The soil of many a fertile valley is now hidden under a thick bed of sand, gravel and boulders (as we often see in Switzerland) brought down by torrents from the mountain slopes, where the trees which once retained the ground with their roots have been destroyed. The rain, instead of soaking gradually through the moss, vegetable mould and roots, and feeding, by degrees, the springs and streams, as it did while the forest lived, rushes down to the valleys below, as it falls, as from the sides of a roof, in irresistible torrents, carrying with it the ground that nothing now retains on the steep mountain side.

It is most interesting to follow the work of re-afforesting carried on, principally in France, on the Landes for nearly a century, and on the barren mountain slopes, and to notice their beneficial results. The efforts of the "Ligue du Re-

boisement de l'Algeria" to repair the harm done in Algeria, by the burning of the forests on the slopes of the Atlas, deserve the warm sympathy of all those who can appreciate perseverance and devotion to the public good.

But the subject before us to-day, is "Forestry for Canada." It is difficult to awaken any interest in the question among us. We are apt to consider Forestry as a superfluity, here, as if our forests were inexhaustible. They would be so (saving accidents by fire) with judicious management and sufficient protection. The aim of Forestry is not, as many believe, to preserve trees forever, or until they decay and fall. Quite the reverse; it is to select and cut down every tree ripe for the axe, making room for the young growth, and thereby insuring a continued reproduction and a steady revenue. As it is, we are not only spending our revenue, we are drawing largely every year upon our capital.

The pride of the Canadian forest, the white pine, is getting very scarce; the proportion of first-class wood is decreasing year by year, while the distance from which it is brought is increasing. How many mill owners, who would have scorned sawing spruce logs a few years ago, are only too glad to get them now, and though spruce reproduces itself much more readily than pine, we can foresee the time when it will get very scarce, at the present rate of cutting.

The late James Little, of Montreal, who was the first to sound the alarm, deserves to be gratefully remembered by Canada. When every one treated our pine as if the supply were inexhaustible, he was the first to call attention to its rapid disappearance. His warnings were met, not only with indifference, but with ridicule. Now, the eyes of the most sceptic are opened, and they must admit that he was right; but it is sad to see them turn around now and affirm that it is no use devising means for the protection of our forests, because there is nothing left in them worth protecting. There is still a great deal left worth caring for and improving. It is late, but not too late.

It is a good sign to find in the Dominion Statute Book, 47 Vict., cap. 25, sec. 5, proof that the importance of preserving the forests on the Rocky Mountains is well understood. The Governor-General-in-Council is empowered to make provisions "for the preservation of forest trees on the crests and slopes of the Rocky "Mountains, and for the proper maintenance, throughout the year, of the volume "of water in the rivers and streams which have their sources in such moun-"tains."

In the absence of a regular system of Forestry, there are practical means of protecting our public forests which I will now review as briefly as possible.

A careful *classification* of public lands, under two heads: lands fit for agriculture, which alone ought to be open to settlement—lands unfit for agriculture, which ought to be carefully closed against settlement and kept in forest. The best timber lands, especially the pineries, are generally totally unfit for agriculture; it is a cruelty to decoy settlers there. How many hard working men have wasted the best part of their lives in trying to get a living out of such poor soil, and are tied down to it for want of means to move away with their families; the only result of their work being the ruin of a fine forest and their own ruin. The Quebec Legislature had enacted a wise law in 1883, the Timber Reserve Act, which, I regret to see, is on the point of being repealed. As to the relations between the settler and the lumberman, where there is good faith on both sides, those relations ought to be of the most friendly nature.

Strict regulations as to the *minimum size* of logs allowed to be cut, and encouragement to convert trees into saw logs, instead of square timber, which wastes one-third of the tree in the squaring.

Protection against fire which destroys more trees than the axe, precautions in lighting fires in the woods and in clearing lands by fire, for settlement; this

last subject is closely connected with the question of the *classification* of lands and keeping of settlers from lands unfit for agriculture. Fires are more to be apprehended in pineries and among resinous trees, where the soil is very often unfit for agriculture, than among hardwood trees where the quality of the soil is much better as a rule. Our Provincial Legislature is now considering a good measure calling on the lessees of timber limits to contribute one-half of the costs of protecting their limits against fires, the Province paying the other half. It is, I think, the law in Ontario.

Creation of New Forests.

It is difficult to compress within the narrow limits of one article all the branches of Forestry. After considering the preservation of existing forests, we cannot ignore the necessity for creating new ones, on the prairies of the North-West and our old settlements, denuded of trees, in the East.

As for the North-West, what we want, first of all, is *practical experience*. Many theories have been propounded to explain the absence of trees on the prairies, and Mr. A. T. Drummond, of Montreal, a zealous worker in the cause of Forestry, has written some very interesting essays on that subject.

I would recommend the *Ash-leaved Maple*, for the prairies to start with. The rapidity of its growth, its resistance to the drouth, the value of its sap for sugar, which has been scientifically demonstrated by Doctor B. J. Harrington, in a series of experiments, the results of which have been communicated by him to the Royal Society of Canada, in a most interesting paper; all these recommend its culture as a starting point. With that tree plant cotton-wood, poplar, willow, every kind of fast-growing tree, however inferior in quality, so as to start wind screens, behind which slower growing but more valuable trees can be cultivated, and fields of grain sheltered from the baneful effects of the drying winds.

If, in the absence of any serious attempts at forest tree culture in the North-West, we are still puzzled how to proceed there, here in the East, we know beforehand that we are bound to succeed, with proper judgment and care. We know that every soil here, whatever its nature, can grow some kind or other of tree, and that, in many instances, the intrinsic value of the tree is quite out of proportion with the value of the soil: pines on sandy soil: sugar maples on rocky hill sides: ash on cold, wet soil: tamarac and cedar in swamps: white birch on the worst soil and under most unfavorable climate, and, of course, oak, elm, butternut, black birch, &c., &c., in good soil

It appears logical to choose the most valuable of trees for a new plantation, when the nature of the soil admits of it, though we often see valueless willows and poplars planted on the best soil and even in gardens. I have tried the black walnut, which sells for a dollar a cubic foot, in Quebec—nearly the price of mahogany. Trees raised from the nut have given me nuts after twelve years growth, but, as my experiments do not extend over fourteen years, however satisfactory to myself, I cannot yet assert that the success is complete. Certainly it is very encouraging, and, I hope, will lead others to try the experiment, which is not an expensive one.

It is impossible to enter into the details of tree planting now but there are two points which ought not to be overlooked: in our climate, experience shows that it is better to plant trees in the spring, especially if the soil is in the slightest degree wet or even retentive of humidity, and consequently affected by the frost, and secondly, it is useless to attempt tree culture *without good fences*, as cattle will destroy all young trees. In fact, there are thousands of spots where the cultivation of the soil has been given up, which in a few years, would be covered with a growth of self sown trees if the cattle were only kept out by fences

The results of Forestry are so far removed, and, at the same time, of such national importance, as to make it incumbent on the Government to encourage it by every means; experimental stations, especially in the North-West, in charge of the Mounted Police and the Indian Agents and teachers, nurseries of forest trees and gratuitous distribution of the same, rewards in land grants or exemptions from taxation; encouraging the observance of Arbor Day, a school of Forestry, or, until that point can be reached, sending some well-qualified young men to study forestry in the French and German schools, and last but not least, educating the people, beginning with the children.

Teach, in all the schools, the elements of tree culture, joining practice with theory, whenever possible. No better way to develop in the child the qualities necessary to his success as a man. He will learn forethought, in choosing the proper season, the soil, the tree; care and patience in digging up and transplanting that tree; perseverance in watching over it, watering it, supporting it, pruning it, cultivating the ground round it; unselfishness, in feeling that he works not only for himself, but that others will enjoy the fruits of his labor.

The article, by M. Joly, from which the above is taken, was much longer, but I have copied the most interesting and the largest part. He objects also, principally I think referring to his own Province, to large sales of lumber limits in advance of the requirements of the market. It should be observed, however, that there often exists especially where large main lines of railroad have lately been run through a country, a good reason for selling the right to cut timber on these lands. They are often in great danger of being over-run by fire. Selling the lumberman the right to cut timber places the forest under his protection. It becomes his direct interest to use every possible means to preserve it from fire. For many years in Ontario, he had little chance, but now, as the Ontario Government pay half the expense of what fire-rangers the lumberman chooses to nominate, the means are ready to his hand. He is assisted, too, by the fact that a large number of these rangers are yearly, in the dangerous season, stationed in forests near his own, thereby rendering the running of fire much less likely.

AN EXAMPLE FROM KANSAS.

The following letter by S. C. Mason, Esq., Kansas, to "Garden & Forest," will be found in many passages interesting and valuable to Canadians. One sentence which says: "A slaughter like this is often made to secure one more field for corn or wheat, and this by a man who has already more acres under the plow than he can bring to one-half of their productive capacity," is peculiarly applicable to Canada, where over many thousand acres, the same class of injurious labor has been performed. Another is equally applicable; "When cattle are not allowed to tramp out the young seedlings for the scanty pasturage furnished by the woodland, the value and profit of Kansas forests will steadily increase":—

Kansas Farmers and Kansas Forests.

Sir,—Though Kansas possesses no timbered area that, for extent or density, will compare with the forests of the eastern or middle states, there is a consider-

able extent of country along the eastern border which was originally well clothed with trees—in the bottoms a heavy and valuable growth, on bluffs and uplands a scattering stand of scrubby oaks and hickories. Farther west the timbered area is narrowed and confined more closely to the streams, and beyond the junction of the Blue with the Kansas River the last wooded hills are seen. Beyond this point the trees on the slopes of the bluffs disappear, and only the banks of the streams and the lower benches are wooded. Before the head waters of either of our larger western rivers are reached, the last solitary cottonwood or elm will have been passed and the buffalo grass and the blue-stem are masters of the field.

The trees are not keeping their bounds without attempting to acquire territory, and every rod of soil where the fires cannot sweep is sooner or later covered with timber. A bend of a stream nearly surrounding a bit of bottom land affords the best chance for an advance if the fires are prevented from entering from the unprotected side. Where natural conditions or the care of man afford this protection, we soon find those advance guards of forest-growth, the sumach and the dog-wood bushes, springing up among the blue-stem grass. Before long from the midst of these thickets young oaks, walnuts and elms shoot up, and in a score of years form a handsome grove. Out along some narrow ravine or draw leading down from the bluffs the trees push their way, year after year, where fires have failed to reach them. Then comes a wet season, with an unusual growth of grass, a dry day, with the wind in just the right direction, and the fire sweeps down deadening the young growth back nearly to former limits. But the sturdy roots are left alive and the contest is renewed till, at length, the trees overshadow and drive out the grass, and so deprive the fire of fuel.

With the general settlement of the country came the steam saw-mill and the demand for all grades of native lumber, as well as for thousands of loads of stove-wood. Many of the owners of timbered lands, reckless of the future, sold their trees till not a valuable stick was left. The trees that stood upon the land of a non-resident or upon state or school lands were chopped and plundered by day and by night. Cases could be cited in some of the western counties where a fine growth of red cedars was so completely cleared from the bluffs that neither stumps nor roots now remain in the chalky declivities to give a hint to the verdure that once covered them. Kansas pioneers dealt with the scanty growth of timber they found with the same reckless disregard for the future which led to the extermination of the white pine farther east Those who settled first and secured timber claims had more than enough wood for their needs; the prairie homesteader had none. It is perhaps not just or consistent to blame too severely these early pioneers who came to the state often with little besides the team and waggon which brought them. With the nearest railroad station fifty or a hundred miles away, where pine lumber of poor quality could be had only at enormous prices, it was natural that as much as possible of the native timber should be turned to account. But there is a waste and destruction of young timber taking place to-day against which the warning voice cannot be too earnestly raised. It may sound strange to speak of clearing timber land in Kansas, yet it is a fact that within a single county, during the past few years, many acres of thrifty young timber have been chopped and placed on the market as stove-wood or fence-posts. I have seen scores of young black walnut trees, not thirty years old, split into rails and fence-posts, without a thought on the part of the owner that the supply of merchantable walnut lumber in the east and south is nearly exhausted, and that he was clearing the ground of trees which would be of great value to his children. A slaughter like this is often made to secure one more field of corn or wheat, and this by a man who has already more acres under the plow than he can bring to one-half of their productive capacity.

When the farmers who own the timbered lands make it a rule to cut only matured trees or crowded and imperfect ones, except when needed for special use, thinning judiciously and preserving with care every young tree of a valuable variety; when timber lands are as carefully guarded from fires as the stock-yards and stables, and when cattle are not allowed to tramp out the young seedlings for the sake of the scanty pasturage furnished by the woodland, the value and profit of Kansas forests will steadily increase.

The future of Kansas forests must rest with Kansas farmers. Give the trees protection from fire and stock, with a little timely thinning and pruning; cut them as they reach maturity, and provide the way for others to take their places, and the woodlands will grow continually more valuable and yield a return as safe and sure as the best plowed fields.—*S. C. Mason, in "Garden and Forest."*

THE RE-AFFORESTATION OF IRELAND.

Any one who, passing along the Irish Channel, has viewed the bare and desolate appearance of the Irish coast, there presenting a high mountainous range, can easily see how much the country needs the shelter of its ancient forests, of which it has long since been deprived. Every depression, shielded by the hills, is cultivated, but all between, where the wind sweeps unchecked over the land, is a succession of uncultivated expanse, where nothing or nothing but the poorest pasturage exists. The following proposals for re-foresting Ireland will interest my readers—having a direct bearing on the necessity of planting waste portions of land, of which many exist in Ontario:—

At the invitation of the late Dr. Lyons, M.P., though at his own expense, Mr. Howitry, who holds the office of forest conservator in Denmark, examined the resources and the need of Ireland for forest cultivation. He surveyed its mountain ranges, its moors, its lakes, and its rivers. His experiences and conclusions he has embodied in a report to Dr. Lyons, which has been published as a Parliamentary paper. His deliberate judgment agrees with the surmises which had already been formed. Swamps and morasses are created in Ireland from the want of trees to drink up the superfluous moisture. Irish rivers inundate the districts they traverse because there are no forests on the mountain tops to arrest and retain the autumn and spring rains. In summer there is a dearth of water because the trees are gone which would have served each as a reservoir. A tree is advantageous in a double way: it is like a camel in its power of imbibing an enormous quantity when water is abundant or superabundant—like a camel it keeps the store for a time of scarcity. Irish agriculture, by its system of straight drains, which Mr. Howitry entirely disapproves, has acted as if water were poison instead of nutriment. In the past by felling the mountain woods, and in the present by planting no successors, it has done worse by tapping the supply at its source. Irish fruitfulness, he warns the nation, is gradually being drained and washed away into the lakes and seas, and no preparation has been made to replenish it. The folly is, in his estimation, the more inexcusable that the islands presents the especial conditions for rendering forestry easy and beneficial. On the hills the soil is still able to feed all the trees which can be put into it. Out of the 20,000,000 acres in Ireland he reports that there are at least 5,000,000 for the most part waste, which might be planted with a reasonable certainty of profit.

Irish wastes on the mountains and in the valleys are, he considers, of a different order of fertility altogether to the Landes, or the Pyrenean and Alpine slopes, on which re-afforesting is being conducted with indisputable gain. Ireland would, he is persuaded, grow valuable timber, instead of commoner and cheaper kinds. A list, appended to his letter to Dr. Lyons, enumerates 36 conifers, 38 deciduous and hardwood trees, and eight sorts of bushes which could be grown to advantage. The varieties could be selected with regard to the readiest local uses for the wood. He has drawn up from personal inspection an elaborate scheme for planting at least 100,000 acres every year for the next thirty. At the end of thirty years a plantation, he reckons, comes to full productive capacity, without respect to the previous incidental returns from brushwood and saplings. At thirty years of age, he calculates that the cost per acre will have been, at highest £20, the average annual profit at lowest £1. Probably as the demand for timber, of which England yearly imports 290,000,000 cubic feet, is rising, and the area of supply continually narrowing, the profit may be much larger. At present most of the 5,000,000 acres of waste pay not a penny of rent; the residue yields less than sixpence an acre.

SOWING TREE SEEDS.

During the year there have been frequent enquiries from amateurs who wish to grow their own tree seeds, as to the best methods, a piece of information not always easily obtained. The following essay, contributed by one of our most practical Toronto planters, gives such full and exact information as to render it well worthy of publication:—

For this purpose select a piece of land naturally dry, in good clean condition, just such a piece as any good farmer would consider capable of growing a good crop of anything on the farm. The soil *must be* on top a sandy loam. This is absolutely necessary, for this reason: sandy soil is not subject to upheaval by frost as are clay soils. Seeds sprout through a sandy covering easier than through clay, as this last frequently cakes into a hard crust which it is almost impossible for the young seeds to push through unless the crust is broken carefully with the fingers or an instrument—a delicate job, and no matter how carefully done, sure to be fatal to many of the young shoots alike in all nut seeds, which resemble in a measure young beans, and are equally brittle in their formation. Where it is not possible to have a seed bed of a light sandy loam, and a person has to sow on clay, be sure and cover the seed in the drills it is sown in, and fill the drills to the surface with sand brought for the purpose. It does not matter what the quality of the sand is. A sand the same as builders use will answer capitally. A piece of land selected for a seed bed should be deeply ploughed or dug; the surface should be even, and not too flat, so that no water will remain to cause stagnation, among the nuts or seed. When all is ready, make the drills the full width of the hoe, which would be about six inches, and about two inches deep. Now sow the nuts thinly,—large nuts, as walnuts, horse chestnuts, etc., about four inches apart in the row; acorns and smaller ones a little thicker, but as the aftergrowth is about the same, the same distance will answer. Cover evenly with soil, and tread the drill firmly. For sowing tree seeds the feet are as useful as the hands. I place great stress on this treading the soil, as this places the nuts firmly in the land and also makes sure of covering the soil over them. After the drills have been tramped rake the loose soil evenly

over all. A proper distance apart between the drills would be twenty inches. This distance gives convenience in weeding and hoeing the drills, as all the cultivation of seedlings must necessarily be done by hand. In reference to how deep seeds should be sown, a safe rule is to place the covering of soil twice in thickness the diameter of the seed, so that while a chestnut would be covered with two inches of soil, a beech-nut would have about an inch, and so on in proportion. There are always exceptions to rules, and what a person should strive to attain is a happy medium. Allowance must be made when sowing the seed for the loose soil to settle so that the seed may be always covered a little more, as the subsidence of the soil will bare the seed more or less. And now I come to the chief factor of success in growing seedlings, and that is mulching. So long as the seed-bed is covered after sowing with a good mulching of any litter, manure, leaves, straw or stalks of any kind, success is certain. As to covering the seeds in the drills, should any mistake be made about not putting enough soil, the mulching will put all right. In fact, seeds sown on top of the ground, if only mulched, will do well. This mulching should be left on the bed till warm spring weather sets in, or an examination of the seed-bed shows the seeds pushing their tender shoots through the ground. Rake the mulching into the space between the drills, where it may be left if of a fertilizing nature; here it will keep weeds down and the soil moist. If, however, it be of a bulky nature, and might impede the growth of the seedlings, have it removed and commence the cultivation of the seedlings the same as you would a crop of carrots,—hoeing, weeding, etc.

We have now the seeds growing and the first season passed over. In the seed-bed plants of maple, ash, birch, chestnut, elm, and all fibrous-rooted trees, may be left two years; but as the roots on all nut trees are tap-rooted, it is necessary to take them up the following spring if they make any vigorous growth. If they do not, then you may leave them two seasons, but no longer. Another reason for not disturbing the seed-bed to soon is that very often the seeds lie dormant the first year, and come up the second. The seed of the ash will sometimes thus remain dormant. After two years of growth in the seed-bed our seedlings will be ready for transplanting. As early in the spring as the ground will allow for digging, have the seedlings dug up. They should be assorted into two sizes, the large and the small. With a sharp knife, cut the leading and tap-roots back to within six inches of the collar. Do not touch the tops at all, tie them up in convenient bunches for handling, dip the roots in thin mud, and heel in ground convenient to your work. The best soil to grow all kinds of trees in nursery rows is what is known as a sandy loam with a clay bottom. Select a piece answering that description and have it prepared as for any farm crop, To prepare it properly, it should be summer-fallowed the season previous, but that is not necessary though desirable, as any land in fair tilth will answer. Having it ploughed and harrowed, set the line parallel with the longest way of the lot, if most convenient to cultivate that way. A good strong garden line is the most useful and indispensable article in the planting of trees. The line set, level all inequalities of the soil with the spade under the line, and pat the soil down firmly by striking with the back of the spade on the line. The next operation is to cut out the drill by striking with the edge of the spade parallel with the line run, as it were to split the line. A little practice will make a handy man very expert and exact in cutting the line, as it is termed in nursery parlance. The drill is now dug out a spade wide and the soil put neatly on the opposite bank from the line—the bottom of the drill being evened with the spade as the digger goes on digging out the drill. All is now ready for planting, and the planter, provided with a bundle of plants, stoops and places a seedling neatly against the bank, placing the collar of the root neatly against its edge. Another person at

the same time places a spadeful of soil with a quick turn of the spade snugly and securely against the roots of the plant. So the planting goes on, and as the planters get more expert, they can place the plants as fast as a slow walk, as we might say, to use a paradox. The plants want firmly treading and straightening, and the balance of the trench may be filled in and levelled off. A convenient distance for any kind of forest tree in the row would be one foot apart, and the distance between rows, four feet. This allows cultivation with cultivators and single plough by horse and man, and is in every way convenient for growing trees straight and in good shape. Out of these rows the trees may be transplanted at any time, spring or fall, to other places, or if the idea is to leave them there permanently they will succeed. After growing three or four years, every second tree may be dug up and transplanted. After four or five years' growth every second row may be removed entirely, thus leaving the rows eight feet apart, and trees two feet apart in the row. In this arrangement on fair soil the trees may be left to grow to form timber or wood. The strongest will now survive, and any weakly ones can be removed at the option of the cultivator. I again repeat that very little experience, with an observant mind, will soon teach a person how to grow and manage the trees for forest cultivation. Before mentioning anything further connected in a general way with tree growing, I will return to group No. 2, consisting of elms and maples, ripening their seed in June. As soon as these seeds are beginning to flutter to the ground the main crop will be found ripe enough for gathering. As these two trees are two of the most important classes of trees we have in our whole list of forest trees, having so many qualities in the value of the timber for firewood, lumber and every other use to which these useful trees may be applied, the importance of their position in the landscape of the country, and many other qualities, had we time to mention them, it is a great blessing or boon to know that they reproduce freely from seed, also that the trees bear great quantities of seed, also that they ripen early in summer, in time to allow of the seed being sown there and then, and that it grows the same season, making a foot or more of growth the one season. The same directions as mentioned before are now applicable to the elm and maple seeds. I must repeat, when sowing the seed be sure and tread it in firmly —the same distance apart in the rows, and after cultivation, as mentioned before in connection with transplanting, etc.

GENERAL CONSEQUENCES OF THE DESTRUCTION OF THE FORESTS

By Mr. Marsh.

With the disappearance of the forest, all is changed. At one season, the earth parts with its warmth by radiation to an open sky—receives, at another, an immoderate heat from the unobstructed rays of the sun. Hence the climate becomes excessive, and the soil is alternately parched by the fervors of summer and seared by the rigors of winter. Bleak winds sweep unresisted over its surface, drift away the snow that sheltered it from the frost, and dry up its scant moisture. The precipitation becomes as regular as the temperature; the melting snows and vernal rains, no longer absorbed by a loose and bibulous vegetable mould, rush over the frozen surface, and pour down the valleys seaward, instead of filling a retentive bed of absorbent earth, and storing up a supply of moisture to feed perennial springs. The soil is bared of its covering of leaves, broken and loosened by the plough, deprived of the fibrous rootlets which held it together,

dried and pulverized by sun and wind, and at last exhausted by new combinations. The face of the earth is no longer a sponge, but a dust heap, and the floods, which the waters of the sky pour over it, hurry swiftly along its slopes, corrying in suspension vast quantities of earthy particles which increase the abrading power and mechanical force of the current, and, augmented by the sand and gravel of falling banks, fill the beds of the streams, diverts them into new channels and obstruct their outlets. The rivulets, wanting their former regularity of supply and deprived of the protecting shade of the woods are heated, evaporated, and thus reduced in their summer currents, but swollen to raging torrents in autumn and in spring. From these causes, there is a constant degradation of the uplands, and a consequent elevation of the mineral and vegetable matter carried down by the waters. The channels of great rivers become unnavigable, their estuaries are choked up, and harbors which once sheltered large navies are shoaled by dangerous sand bars. The earth, stripped of its vegetable glebe, grows less and less productive, and, consequently less able to protect itself by weaving a new network of roots to bind its particles together, a new carpeting of turf to shield it from wind and sun and scouring rain. Gradually it becomes altogether barren. The washing of the soil from the mountains leaves bare ridges of sterile rock, and the rich organic mould which covered them, now swept down into the dark low grounds, promotes a luxuriance of aquatic vegetation that breeds fever, and more insiduous forms of mortal disease, by its decay, and thus the earth is rendered no longer fit for the habitation of man.

GERMAN FORESTRY.

A writer in *Woods and Forests*, London, England, speaks thus:—

I have observed that the Germans, though they have a vast growing population, nevertheless have preserved most carefully all the forests on their principal hills, that is to say, in the upper basin of the Rhine, of the Elbe, and in many other places. Their forest preservation is a model for all other nations. They do it not for climatic reasons, but for the preservation of the national wealth. The same remark applies in Eastern France, that is to say, to the Vosges Mountains, in the arena which was the scene of the Franco-Germar War. There is also Nancy, which is the great forest school of France. I am not here in any way to pronounce a defence of or a panegyric upon the administration of the late Emperor Napoleon the Third, but whatever may have been his faults of ambition, nevertheless he was one of the first men in France to introduce a system of sound forestry in that country. This has been done in Eastern France for the preservation again of the national wealth, rather than for climatic reasons. Now I have referred to three countries—Scandinavia, Germany, and Eastern France, all of which maintain their forests for the national prosperity, and for the supply of the markets of the world. It is very lucky for us in Great Britain that there are such sources of the supply of foreign timber. We get our timber, as you know from Scandinavia and Canada.

The art of Forestry is cultivated in some other countries I am about to mention, not only for the augmentation of the national wealth, but also for the sake of preserving the moisture and fertility in the soil, and for maintaining a temperate climate. For ensuring a temperate climate to the inhabitants, the first to be mentioned is Southern France. The guide-books most familiar to tourists tell of the immense injury wrought in Southern France by the destruction of the forests

which used to exist there. In consequence, the ground has been washed and carried away, and barrenness succeeds to fertility. Then you have long periods of drought, followed by floods and inundations, many of them being greatly destructive of life and property. This has notoriously been the case in Southern France, as it has also been in Italy and in Spain. I fully believe that the destruction of forests in Spain is as great as anywhere in Southern Europe.

We know that Russia is a country of forests naturally. But if you travel there you will find that birch forests have largely succeeded to the pine. This means that where pine forests have been cut down without any provision for reproduction, birch forests grow up. Whenever you see a birch forest there, you will know that a reckless, unscientific felling of pine trees has occurred. This has, no doubt, affected the climate; the alternation of drought and flood is more frequent than it used to be between Moscow and Odessa. Come to the next neighboring country—Turkey. Around Constantinople the destruction is patent to all travellers. Upon both shores of the Bosphorous the population has hardly a stick to bless itself with. Then sail down to the Levant. It was once the scene of the greatest events, and a region most blessed with wealth and fertility. It is now merely a shadow of what it was. The harbor of Ephesus has been dried up from the silting caused by deforesting on the adjacent hills; and crossing over to Cyprus, one of the latest regions to pass under British sway, there again you hear of nothing but destruction of forests. The goat-herds of Cyprus have carried the day, and innumerable goats are still allowed to browse upon the young plants with but little restriction; and the sylvan glories of Cyprus are now departed and merged into darkness. Then again, cross over to Syria, the opposite shore, and you hear the same story there. Where now are the famous cedar groves which existed in the days when Hiram sent timber to Solomon in Palestine? There are only a few clumps of trees to mark what once was there. Where are the oaks under whose shade the patriarchs pitched their tents? Echo answers, "Where?" Only a few remnants remain. I believe the only forests yet remaining within the old sacred limits of Palestine are a few of the Oaks of Bashan. But they are situated on the other side of Jordan, where the hand of destruction cannot reach them. Next pass on to Persia. Why, Persia used to be an enormous Empire, but now-a-days it is a decayed country. Where are no wthe vast populations it used to feed? They have shrunk down to a pretty figure of some seven or eight millions. This is, of course, mainly owing to the destruction of the forests. Alas! the forests are gone, the streams are dried up, and though the old water channels remain, they may be very useful to the antiquary, but are not useful to the political economist.

IMPOVERISHMENT OF LAWN TREES.

The following from an English writer may commend itself to the owners of lawns and parks in and near Toronto. I know no other place where the need of both grass and trees are so glaringly disregarded:—

This is a subject meriting the most serious attention of all planters, and the yet larger numbers that feel an interest in the well-doing of trees on grass. Such trees are impoverished in two ways chiefly, the grass grows at their expense, and they are deprived of nature's annual enrichment in the form of dead and dying leaves, weeds or grasses. The results of these compound robberies of the roots prove most disastrous to the trees. So marked often are these starving effects

that by the time the trees reach middle age, or stature, they have begun to look prematurely old, or have already given way under disease; moss or lichen have crept up under their limbs and branches, adding, it may be, a new beauty to some trees, but also providing snug lurking places for insects, and inviting the attacks of disease. True, ungenial or wet soils may often bring trees down into similar states of decrepitude or premature old age, but for every tree that becomes diseased or dies through ungenial soils, a score or more perish of sheer starvation. Of course, on good soils the process is slower, as the roots bore deep and run far; but no soil can thus keep on giving out its goodness day by day, month by month, and year by year, and receive nothing in return without becoming finally exhausted. As if these two main causes of impoverishment were not sufficiently mischievous, not a few cultivators still further worry their trees at top, and impoverish their roots at bottom, by the weekly shaving off and carrying away of all the grass that grows under them. The grass is grown largely at the expense of the roots, and, were it left to decompose where it grows, this would partly recoup them for its production; but the incessant mowings and removals prove double drains on the soil; the removal of the crop baulks nature's effort to compensate it for its production.

Fallen leaves were certainly meant to protect and feed the roots of trees. The quantity that falls, even in the case of conifers, is wonderful. Under some of our trees, such as Pinus insignis and Sabiniana, barrow loads of needles might be gathered up yearly. Left where they are, they prove an impenetrable barrier to frost. As to their unsightliness, very few of them will be seen by the end of April, and, besides, the lower branches in most cases cover them up from observation. The fallen leaves perform another useful service: they kill or prevent the growth of the grass. By forming a layer of porous dèbris on the surface, the free passage of water to the roots is ensured, while these natural mulchings hinder the evaporation of the moisture or strength of the soil. Of course, the wide spread of the bottom branches of trees likewise assist in most of these useful purposes. They keep the roots from being frozen and protect them from sun scorching or air drying. In any case where it might be undesirable to prevent the impoverishment of the roots by such means, some other methods of recouping them should be devised. There are few better modes than the application of an occasional top-dressing of good soil or rich compost, according to circumstances. Those who prefer a surface of soil should keep it rough and loose. But cocoa-nut fibre refuse is more sightly, as well as far more useful than any kind of earth as a top-dressing for single trees. Some recommend well-rotted farm-yard manure. There is no objection to this for the majority of deciduous trees, though it must be employed sparingly, if at all, for coniferæ. Good loam forms the most suitable top-dressing for these, though, if planted in fairly good soil, and trained and treated as here recommended, their own leaves will generally prove a sufficient top-dressing to maintain them in sufficient vigor and preserve them in robust health. In a garden, all waste soil, such as old potting-moulds, should be saved and used as top-dressing for conifers, it being one of the best tree fertilizers.—F.

There is a park in Toronto which one might think was in the remembrance of the writer when he wrote the foregoing piece. It is not rich land—it never was—it might have been, but every care has been taken, as long as I can remember, to prevent it becoming so. Once it contained many beautiful young trees—a time, I remember, about forty-five years ago. It had a tolerably rich sward of the roughish clumpy grass which sandy land often gives, but that I think is

now poorer than ever; while, the trees, that is the pines, which, being now, I should think, about seventy years old, should now be in full rich growth, are dying at the top already, while the deciduous trees are very far from being what they should be.

This has been deliberately done—every year vast quantities of leaves have been piled in heaps and burned, leaving behind, for manure I suppose the managers intended, a thin layer of wretched ashes. The real manure had, of course, gone in black volumes of smoke to the skies. It might have been a beautiful sward dotted here and there with magnificent trees. It is in many parts as bare as a Cumberland side-hill. Why, putting the matter of leaves to one side, they brought manure there by the thousand cart loads. What did they do with it? There was, where beauty most was wanted, in full view of the principal building, a beautiful stretch of low ground backed by an extensive grove. They took all this manure, with a vast amount of other earth, mostly rich, and filled up the hollow level, sodded it over and made the whole thing look as flat as a Dutch garden of the last century. Now, the vast mass of earth and manure with which they perpetrated this piece of vandalism would, if properly spread and mingled with grass seed, have fertilized the whole park, both grass and trees. Nay, if all these years they had simply composted the leaves and spread the compost, that would have done as much for them. But what can you expect? I have seen them in a park near Toronto, which, left alone, would have been a beautiful one, prune—actually prune—beautiful spreading pine trees, sixty feet high, nearly to the top.

INFLUENCE OF ASPECT, WINDS, AND SOIL, ON GROWTH OF TREES.

The influence of aspect upon the growth of trees depends something upon the prevailing winds and other causes. But soil, slope, and other conditions being otherwise the same, we may state the effects of aspect approximately as follows:—

The northern aspect receives no sun, or but obliquely, according to the angle of elevation. The winds are colder and dryer, and generally in the growing season not strong. The soil retains its moisture, and the growth of vegetation is rapid. The trees retain a more regular shape and their tissues are softer. The timber is, therefore, not as strong, but it is very well adapted to manufacturing purposes. The later vegetation on the north slope delays the opening of buds, and reduces the risk from late spring frosts; but from the late hardening of summer growth, some injury may occur from freezing in winter. The snow lies longest on this slope which very materially favors forest growth. The starting of a forest by seeding is more easily secured on a north slope than any other. It was on a northern slope only that forest seeds sown upon the damp snows in the works of replanting the mountain regions of the Alps, by the French Government, were found to succeed.

The eastern aspect receives the direct rays of the sun in the cool morning hours, and the temperature and light are moderate. The winds (in the United States) are often damp, especially in winter, and the trees seldom become loaded with ice, except when the eastern winds are blowing. The soil holds its moisture fairly, and the timber grows well and acquires medium qualities that adapt it to the greatest variety of uses.

The southern aspect receives the direct rays of the sun, and the light and heat are both intense. It is liable to winds and storms and to erosion from rains, because from the heat a protecting growth of herbage is less liable to be found on the soil. The trees have, on the whole, a slower growth and less regular form, but the timber is firm, heavy and strong, well adapted for building and manufacturing purposes. Seeding can seldom be secured on an open exposure to the south in a warm climate, and trees must usually be set and attended with greater care.

On the western slope the sun shines obliquely, but in the hottest hours of the day, and in our Western States, vegetation is most exposed to drying south-westerly winds. The soil is liable to become dry, and timber is of relatively slower growth and of inferior shape, but the quality in the main is good. These differences are often but shades that would, at times, be scarcely observed, especially in isolated hills; but at other times would be strongly marked, especially when a long trend of hills or mountains gave these influences their full effect, and would be most apparent when the slope in this case are north and south, when the differences amount to contrasts that would attract the notice of a casual observer.

To this may be added that the influence of aspect upon the growth of the trees depends in a great measure upon the prevailing character of the winds, as to whether they blow from the sea or the continent, and whether they have been deprived of their moisture by passing over high mountains. It is, therefore, impossible to state a general rule, but, as a general fact, the firs, pines, larch, and birch, prosper in a northern aspect; the locust, beech, hornbeam, and birch on the eastern slope; the oak, maple, and chestnut, on the southern; and the spruce, oak, beech, and hornbeam, on a western one. It is probable that the effect of prevailing winds is more felt than the differences of exposure to the sun, unless the slope be so steep as to shade the surface. The authority last cited notices a difference in quality of the wood, according to the exposure in which it grows. The north-east, east, and south, are the best, and the north-west is the poorest, because trees growing with that exposure are most liable to injury from frost.

The quality of wood is also influenced by climate and by the dryness or humidity of the soil. Timber grown in a soil where there is stagnant water for a part of the year is apt to be of coarse, loose, and spongy texture, and weak and tender as to strength. But if the roots are supplied with sufficient moisture, without excess or deficiency, the wood is dense, hard, and elastic. The best quality of wood is grown on good soil properly drained. Granitic sand or gravel with a subsoil which the roots can penetrate and from which they can obtain nourishment, will often bear timber of fine quality, even where the surface is not profitable for agricultural use. The oak grown in a thin soil upon a flat rock has usually a large percentage of sap-wood and a little fibre. Timber grown in isolated places does not, as a general rule, split as easily as that grown in dense forests. Other conditions being equal; the density of wood grown in the south of France is greater than that from the northern departments. The tropical woods of exogenous families are, as a rule, distinguished by their great weight. This circumstance prevents them from being floated upon rivers unless buoyed up by air-vessels or other means.

STAKING TRANSPLANTED TREES.

Most of my readers can, no doubt, stake a tree properly, but still it is a matter concerning which there is often something to be learned. With whatever you support a tree the bark is likely to fray or chafe at the point of junction. On the other hand, we can tie it so tightly that it can do neither, but then there is the danger in a short time, as the tree grows, of the bandage becoming so tight as to stop the circulation of sap and injure or even kill the tree. My own method, where an ornamental box is built round a tree, has been, inside the box near the top, to put a board across with a hole in the centre larger than the trunk. The inside of this should be protected, or rather bound, that it may not cut the bark, and for this purpose I have found by far the best material to be old pieces of rubber hose tacked to the top of the board, passed through the opening and then tacked again below. Then, as the tree enlarges, draw the two parts of your board farther open and nail them afresh. Of course the board must be in two parts or you could not have got it there.

Let me say a word as to the reason why, especially if the situation be at all exposed, the tree principally needs staking. Say the young tree has been lately planted and has much of a head, which, by the way, it should not have. When the leaves come out the wind will have power upon it. It will then, if not staked, waver in the earth, and this wavering will not be confined to the mere surface of the earth, but will penetrate deeply, shake the roots in the soil and more or less delay the progress of their growth. For the field, of course, less expensive methods of staking than that described above are used. The following article from Mr. Webster, of Wales, describes the method used there, a place where they need them. Coming along the sea-coast there every tree seems to lean :—

Next to careful planting and watering a matter of the most vital importance, but unfortunately one that is too often lost sight of, is the efficient staking or otherwise securing of large transplanted trees. The great strain and consequent damage to the roots of large transplants when allowed to rock about with every gust of wind, is not only highly injurious, but in viewing the matter from a point of neatness, few things in forestry have a more unsightly or neglected appearance than trees almost blown over by the wind.

Various are the methods usually adopted in staking or tying newly transplanted trees which, as no hard and fast lines can be laid down, as a rule, must to a great extent depend on the size of the plant as well as situation and exposure, thus a tree four feet, six feet, or even eight feet in height may, in a low-lying sheltered situation be perfectly safe, without stake or tie of any kind, whereas another of a similar size growing in an open situation and exposed to the prevailing winds of the district, will require a mooring of the most secure description, and adjusted in the most efficient manner.

For trees and shrubs up to six feet in height, a strong sharp-pointed stake should be driven firmly into the ground within six inches of the main stem and on the most exposed side. The stake may be from four feet to five feet in length, and should never be driven perpendicularly but with the top slightly inclined from the tree and in the direction from which the prevailing winds blow. A

stout ligature of some kind, such as tarred rope or thick bass matting, is then passed around the stem of the tree requiring support, at from three to four feet from the ground and made fast to the stake at a similar height. By crossing the tie between the tree and stake a more efficient job is performed, as there is then less room for the tree to work in when rocking with the wind. It will thus be seen that the nearer the stem of the tree the stake is placed, the greater the power of resistance will be. Some may object to this method on the ground that driving a stake so close to the stem must injure the roots, but this is an error, as when the stake is well pointed and carefully driven the damage is inconsiderable, and will be found so by trying the experiment. The above method has been in force here for many years, and I need hardly add has been productive of the most satisfactory results.

When the trees or shrubs are over six feet in height and of a bushy nature, stronger moorings than that just described will have to be resorted to, and the following plan we have found suitable for almost any emergency:—A strong band of leather or several plies of tarred rope is placed loosely around the stem of the tree to be staked, and at say three-quarters its height. Some wires (ordinary fencing wire) are then joined to this collar, two on the most exposed side and one on the other, and made fast to stout stakes driven firmly in the ground at a distance from the main stem proportionate to the tree's height.

A. D. Webster.

BIRDS AS DESTROYERS OF INSECTS.

Much has been said against the English sparrow, and I have no doubt he does annoy some horticulturists and pomologists. I am, myself, inclined to think, however, that they have done a much more good than harm. Every spring, indeed, they eat off the tops of my lettuce, but they meddle with no other vegetables, and I easily save even these with a piece of light gauze. As for insects, I have watched one sparrow in an afternoon buzzing along the cracks of my big painted fence and pulling out a dozen spiders successively. Every one remembers the amount of filth the cobwebs used to make—their network crossed every doorway—but they are no trouble now. Then, too, were these measuring worms, they were here by millions, you could not go under a tree but half-a-dozen would try to lower themselves on to you, while they used to swarm over the currant and gooseberry trees. We seldom see one since the sparrows' advent.

But it is not only the sparrow. Our fields and woods were once populated with beautiful little birds, many of them gay of plumage and pleasant of voice. They sat on the rail fences as you walked along, and sung to you from every tree. These birds had certainly not been used to live on grain and fruit, for they had been native in the land long before any one grew either the one or the other. Why could we not have left them alone? The farmer does not think when he sends his boy for the old musket to shoot a few little birds which might possibly in the year do him twenty cents' worth of damage that he is teaching

the boy a lesson of selfish greediness which shall induce him to leave the old farm and the old man to their own devices, as soon as he can make five dollars more thereby.

I have never been more disgusted than by seeing the young men of two districts engaging in what they call a shooting match. Each party, during the day, doing their best to destroy the harmless, feathered denizens of the wilderness, till at night every feather counts, and the party who has done most injury to the neighbourhood has won the prize. You can see the game—a heap of little dead birds last morning, beautiful and bright, the chief pleasure of wood and meadow to every sympathetic mind. They are now a bloody and useless heap. But for such selfish tyranny, providence has appointed its unerring punishments

The following is from Marsh—"Man and Nature":—

"An unfortunate and popular error," says Marsh, "greatly magnifies the injury done to the crops of grain and leguminous vegetables by wild birds. Very many of those generally supposed to consume large quantities of the seed of cultivated plants, really feed almost exclusively upon insects, and frequent the wheat fields, not for the sake of the grain, but for the eggs, larvæ and fly of the multiplied tribes of insect life, which are so destructive to the harvests. This fact has been so well established by the examination of the stomachs of great numbers of birds in Europe and New England, at different seasons of the year, that it is no longer open to doubt, and it appears highly probable that even the species which consume more or less grain, generally make amends by destroying insects whose ravages would have been still more injurious. On this subject, we have much more evidence besides that derived from dissection. Direct observation has shown, in many instances, that the destruction of wild birds has been followed by a great multiplication of noxious insects, and, on the other hand, that these latter have been much reduced in numbers by the protection and increase of the birds that devour them. Many interesting facts of this nature have been collected by professed naturalists, but I shall content myself with a few taken from familiar and generally accessible sources."

The following extract is from Michelet, *L'Oiseau*, pp. 169, 170:—"The *stingy* farmer—an epithet justly and feelingly bestowed by Virgil. Avaricious, blind, indeed, who proscribes the birds—those destroyers of insects, those defenders of his harvests. Not a grain for the creature which, during the rains of winter, hunts the future insect, finds out the nests of the larvæ, examines, turns over every leaf, and destroys every day thousands of incipient caterpillars. But sacks of corn for the mature insect, whole fields for the grasshopper, which the birds would have made war upon. With eyes fixed upon his furrow, upon the present moment only, without seeing and without foreseeing, blind to the great harmony which is never broken with impunity, he has everywhere demanded or approved laws for the extermination of that necessary ally of his toil—the insectivorous bird. And the insect has well avenged the bird. It has become necessary to revoke, in haste, the proscription. In the Isle of Bourbon, for instance, a price was set on the head of the martin: it disappeared and the grasshopper took possession of the island, devouring, withering, scorching with a biting drought, all that they did not consume. In North America it has been the same with the starling, the protector of Indian corn. Even the sparrow, which really does attack grain, but which protects it still more, the pilferer, the outlaw loaded with abuse and smitten with curses; it has been found in Hungary that they were likely to perish without him; that he alone could sustain the mighty war against the beetles, and the thousand winged enemies that

swarm in the lowlands. They have revoked the decree of banishment, recalled in haste this valiant militia, which, though deficient in discipline, is, nevertheless, the salvation of the country."

"Not long since, in the neighbourhood of Rouen and in the valley of Mouville, the blackbird was for some time proscribed. The beetles profited well by this proscription; their larvæ, infinitely multiplied, carried on their subterranean labours with such success, that a meadow was shown me, the surface of which was completely dried up, every herbaceous root was consumed, and the whole grassy mantle, easily loosened, might have been rolled up and carried away like a carpet."

TREE SHELTER FOR FARMS.

An English opinion, stated in "Woods and Forests," says: "I quite agree with your remarks last week on this subject. A narrow strip of wood left on the crest of the hills, and on the north and west lines of many farms, would pay a large interest by the increase of the crops which would result from such shelter on the remainder of the farm. Where the woods have been cut away, I think it would pay well to plant these strips, and by good care, to promote their growth as rapidly as possible. Quick-growing species in this case should be selected, such as chestnuts, maples and poplars. I have, for several years, allowed all young trees growing along the fences, to grow. I have trimmed them, and quite a number of them have grown so rapidly, that I have trees which will soon be good to cut for rails, posts or wood. They take no room, shelter the field, and give some shade for cattle."

This opinion is now becoming prevalent in Ontario. In travelling through the country of late years, I find everywhere lines of trees being planted along the road-sides and the dividing fences of farms. So far as this can do it within the next twenty years, we shall see much of Ontario sheltered by lines of trees, and those who have neglected it until then, noticing the undoubted benefits, will be busy planting and regretting the time they have allowed to elapse before doing so. In planting trees along roads, however, it is the opinion of many that they should be confined to the north side, in order that having the south sun they may dry the sooner after rain. Some indeed object to trees along the road or fences either, and would have nothing but wire, to avoid the possibility of snow drifting into the road. It must be remembered, however, that where windbreaks are frequent over the surface of the country, the winds will be greatly checked. It should be remembered also that the shade of the trees in summer is very pleasant while travelling on the roads. Again, the soil is a question of consideration. I remember when my road to market laid through seventeen miles of second growth trees on either side, not tall, but tall enough to thoroughly shade the roads. The shade, however, never seemed to make the roads bad. It was a sandy, gravelly soil, and soon dried up. But the day of dependence on mud roads in Ontario ought soon to pass by. There is plenty of stone and gravel in the country to make good roads, (and once well made they last a long time). I know places in England where the paved stone roads, made by the

Second Roman legion two thousand years ago, have been used ever since, and some of them are good roads still. But there is another thing to be remembered concerning these roads. They pass through a deep forest, which catches and holds the rain. Had they been in the open ground they would have been torn up by floods long ago. Farmers, again, are apt to call themselves too poor to make good roads. In America we are too apt to think that land will last for ever without manuring. The first thing is to get the field rich; the next thing is to prevent the rich land from washing away. Nothing will do this but shelter. It is asked: Why do not the prairie lands lose their fertility? They do lose it. When forty years ago I passed through Illinois and Iowa, everybody thought they would get a hundred bushels an acre of corn. I passed the same fields a year or two since, and they were not getting half that amount. Much of their soil had gone into the Mississippi. They have had plenty of time since to shelter their fields well, but instead, they have made little more than a commencement.

THE FUNCTIONS OF TREE LEAVES.

An English writer gives the following idea, which will be found to have some connection wth the foregoing paragraph:—

"The leaves of trees seem destined by nature, to perform two essential functions; first, strong to inhale during hot and dry weather, moisture from the atmosphere during the night, in order to repair the waste occasioned by the perspiration of the preceding day; and secondly, to receive the juices propelled to them from the root, and, as secreting organs, to prepare and elaborate the sap so received, to fit it for the support and enlargement of all the woody parts of the plant. Hence every branch, according to its size, after appropriating to its own use what is necessary, sends down the residue to the stem and roots for their enlargement, as well as for the multiplication of the roots, which may be proved from the roots of every tree being in the ratio of its branches. Thus every part of the plant acts and re-acts; the branches are augmented by the roots, and the roots by the branches. Pontey, a high authority in arboriculture, and others, consider that the principal use of the leaves is to attract the sap upwards, and that tapering stems are occasioned by branches obstructing the ascent of the sap, and also applying it to their own use, thus preventing the enlargement of the stem upwards; so that, according to their ideas, if the lower branches are removed, a greater portion of sap will go to the enlargement of the stem above."

Whoever reads the foregoing paragraph carefully, will understand why rows of trees, though valuable for shelter, never can produce timber. They branch out, as is their nature, and each branch, as is well explained above, prevents the stem from growing so large above itself as it would otherwise do. For this reason, where trees are set closely in plantations, which prevents the growth of the lower branches, the trees acquire a tall, straight stem, clear of knots and

making good timber. It becomes, in fact, altogether a different tree. In the open field, by itself, a maple tree will run to about fifty feet in height. It will be thick set, with branches almost from the ground to the summit, and they will spread forty feet. If you come to cut it down you will find very little timber in the tree beside branchwood, which does, indeed, make good fuel. The same tree in a forest or plantation would be without branches, from forty to sixty feet from the ground, after which it would have a spreading head above, and the trunk should yield clear timber all the way to the branches. Granting that the two trees had been planted fifty years, the second should be two feet or more through at its base.

THE BLACK WALNUT.

Many enquiries are made yearly concerning the methods of growing the black walnut, and also as to whether it will flourish in the northern parts of Ontario. The black walnut was, in its native forests, seldom seen much north of the Grand Trunk line. Many, however, have planted it north of that—I have known it to do well near Collingwood. The question, however, can only be solved by the establishment of a plantation—isolated trees give no data whatever. I should not, however, recommend expensive experiments being made with it far north of its old position. In the southern part of Ontario it grows well, but I know of no large plantations. In the States, where the climate was pretty nearly that of our own Welland, I have seen many thousand trees set in plantations ten feet apart. These had grown in forty years to trees over eighty feet in height, thirty inches through at the base and fifty feet up to the branches. They would not make good furniture timber, I was informed, for twenty years more, when it was expected they would realize very large sums. The walnuts should be piled in sand or in litter all winter where they will freeze. By planting time in the spring many will have sprouted, which should be planted in one place and those which have not in another. We have many trees in Canada, however, such as the cherry and the ash, which will stand a northern climate much better and grow to valuable timber in half the time.

The following pieces on black walnut from "Woods and Forests," are valuable:—

Having cultivated this tree in Austria, and also witnessed its growth from the present time backwards for sixty years, my mite of information in reference to it may by of some use to such of your readers interested in forest planting. Our stock was raised annually from seed collected from the older trees. They begin to bear in their tenth year. The seed was thrown into a heap to rot the outer fleshy envelope; it was then put into a cellar during October, and placed in layers in moderately dry white sand; but the sand is immaterial, earth answers the same purpose equally well.

In spring, when good planting weather sets in, the seeds were carefully gone over; those that had sprouted were planted in nursery lines, nine inches apart in beds conveniently broad for cleaning purposes, and the unsprouted ones were planted the same distances apart later. In view of frosty nights it was thought advisable to protect the tender plumules with a little dry litter, but the unsprouted ones did not need this protection. The growth the first year would average over 1½ feet in good ground. Early in the following spring the young plants were carefully dug out and planted at distances of two feet between the rows and one foot apart in the rows; after that biennial removals were sufficient till they were large enough to plant out permanently.

In the case of forest planting we found it to be best to allow the peasants to take over a piece of land intended for a plantation rent free, and cultivate it for two years with maize, gourds, sugar beets or potatoes. This was generally dug with the spade, and kept very clean, thereby bringing the soil into good tilth for the trees intended to be planted. The seed was then put in as before, but at four feet intervals. In average ground, kept clean for the first two years, the trees attained a height of ten feet in five years, and during that time received one pruning off of the lower laterals. With judicious thinning out as time went on the trees grew quickly, and have straight stems which do not branch out into a head much under twenty feet from the ground.

I found that they did well on land flooded annually from a neighboring stream during the months of May and June. They grew equally well on unflooded land, but not in that which was sandy, very dry, or poor in quality. Some of the best timber grew in swampy river deposit with standing water just about three feet under the surface. I may add that the seed should be obtained during the autumn.

Now that the subject of profitable tree planting is creating a good deal of attention in this country, the remarks in "Woods and Forests" respecting the merits of the black walnut will be read with interest by those who are on the look-out for information with regard to the most profitable trees to plant. The following extract from the Chicago *Times* shows conclusively the demand, value, and scarcity of this tree in the States:—

Black walnut has disappeared in two-thirds of the States of the Union in which it was once plentiful. First, Ohio and Indiana were stripped, then Kentucky and Tennessee. The enormous advance in the price of this wood during the past three years attests its scarcity, while parties of men who are going through the States whose trees are gone, pulling up stumps to be used for veneers, show how difficult it has proved to be to find a substitute for this wood, with its even grain, dark finish, and freedom from warping. Cherry stained black has been tried, but no stain lasts, and it is worth noticing that Boulle, the greatest master of cabinet-work that ever lived, utterly refused to work in cherry, and preferred to deal patiently but for all time with the great difficulties of ebony. Until the young walnut groves, which are being planted in all directions, begin to furnish a supply, however, some substitute must be found."

Americans are evidently alive to the want, and have already set to work to plant the tree extensively with a view to meet the continuous and increasing demand, and doubtless at the same time with the idea of a good investment, with a quick and profitable return for capital laid out in planting. It appears that no other timber has been found as yet to be a substitute for this walnut. The above I think is strong evidence that the black walnut ought to be planted in this country freely as a tree for future commerce.

BLACK BIRCH.

"The black birch, which is rapidly coming in favour, is a close-grained and very handsome wood, and can be easily stained to resemble walnut exactly. It is just as easy to work, and is suitable for nearly, if not all, the purposes to which black walnut is at present applied. Birch is much the same color as cherry, but the latter wood is now scarce, and consequently dear. It is difficult to obtain cherry at fifty dollars a thousand feet, while birch can be had at any saw-mill at very much less indeed. When properly stained, it is almost impossible to distinguish the difference between it and walnut, as it is susceptible of a beautiful polish, equal to any wood now used in the manufacture of furniture. There is a great difference in the wood of different sections. Where the land is high and dry, the wood is firm and clear, but if the land is low and wet the wood has a tendency to be soft and of a bluish colour. In all the northern regions it can be found in great abundance, and as the tree grows to such a great size, little trouble is experienced in procuring it in large quantities.

The foregoing, from a Toronto paper, is correct in most particulars. Birch, however, as I have seen it in many a northern forest, is in no such abundance as the woods to which in other days we used to apply that term. The woods yet remaining to the north are not such as we destroyed to make our Ontario farms. For instance, I have seen many a maple forest—many a long stretch where nothing grew but beech, but I never found a forest of birch. In the northern regions, say near the Magnetawan, or in the Nipissing Territory, you will every here and there meet with an immense birch tree—nothing like the small spreading birch trees we see in streets or parks, but three feet or more through the trunk, and rising to a great height. Much might be culled from these forests and should be, as it is mature. One common use to which it is put, which meets every-one's eye, is our perforated chair seats. These are not of one but of three thicknesses, the centre one laid crossways of the grain.

TREES AND RAIN.

"Woods and Forests" gives a short but valuable article on trees and rain :—

"In Italy the clearing of the Apennines is believed to have seriously altered the climate of the Po valley ; and now the African sirocco, never known to the armies of ancient Rome, breathes its hot blighting breath over the right bank of the river in the territory of Parma. The similar removal of the pine forests near Ravenna, about twenty miles long, induced the same desolate wind, which continued until the wood had been allowed to grow again. There is no doubt that in France, the removal of the old forests of the Vosges sensibly deteriorated the climate on the plains of Alsace ; and it is a historic fact that the ancient destruction of the forests of Cervennes under the reign of Augustus, left the large and rich tracts near the mouth of the Rhone, exposed to the steady violence of the mistral (or north-west wind) before which the area of olive culture has retreated many leagues ; the orange is confined to a few sheltered points on the coast, and fruit trees can hardly be reared in places where they were at one time prolific.

The curtailment of the rainfall is a well known consequence of the disappearance of forests. In Egypt, where, during the French occupation, in 1798, not a drop of rain fell for sixteen months, and where from time immemorial, the country has been a rainless bed of sand, Mohamed Ali, by planting his millions of fig and orange trees, has seen his country blessed, with an annual rainfall of several inches."

FORESTRY IN AMERICA.

"It costs a very great sum of money," says an American paper, "to plant and cultivate even a thousand acres of white pine trees, yet a thousand acres of white pine, if planted this year, could not, at the end of half a century, keep a single second or third class mill in Michigan running half a year, so enormous is the consumption of timber in this country. If the native forests, which are sure to disappear shortly unless a different policy is pursued, are to be replaced by forests reared by human hands, vast capital and enormous energy must be expended in the undertaking, our great supply of timber must be drawn from the native forests as long as any native forests remain upon any part of this continent. Hence it is the native forests which demand the attention of legislators and the public. They should be protected to the utmost from destruction by fire; they should be made by law as secure a property to hold as the nature of such property will allow. Great fortunes have been made by holding forest property, and still greater ones are to be made if the danger from fire and the burdens of taxation can be reduced within reasonable limits. Some of the state legislators are already looking after these two things."

What the United States must now look to are are the pine trees of the Southern States, and the Redwood, as it is called, of the Pacific slopes. The great forests of the Eastern and Middle States are so largely used up that many wood working industries, some of which were thought to be secure in a supply of timber for centuries, are proposing to leave them for the South or West.

NEGLECTING YOUNG TREES.

"I have lately, writes a gentleman in *Wood* and *Forest*, been looking over some old bills which I have had from various nurserymen, and am astonished to find the quantities of pines and other specimen trees which I have had from them during these last dozen years; and where are they now? Some few have been destroyed by ground game; but the main quantity having been guarded, where lost, have been choked by the grass and branches. You come upon a suitable place for a specimen and get a pine or a Wellingtonia, as the case may be, out of your little nursery, which no estate should be without, and think to yourself, 'Now, I'll look after this tree and see that it gets fair play.' A couple of years pass and accidentally you tread the same path. Your memory is jogged by seeing either a brown, dead stem, or a poor creature struggling for its life in the midst of a mass of brambles, growing all the more luxuriantly for the stirring of the ground. I intend, in future, to keep a book, enter all specimen trees in it, marked when and where planted, and have them looked to twice a summer."

On all our country roads, and on many a farm, we see young trees to which this will apply. They are not here, however, so likely to be choked with weeds; it is the burning sun and the dry weather which destroy our planted out trees by tens of thousands. Mulching them when planted with straw or litter, held in place by stones, if necessary, or stirring the earth around the tree as wide as the branches, twice in the summer, would save them all.

VALUE OF MOUNTAIN FORESTS.

The following article from the report of J. B. Harrison, Esq., Commissioner of Forests for New Hampshire, applies with much force to some parts of Ontario where we have many mountainous districts of land, as well as many flat districts, or both intermixed, which should be preserved, partly that they are at the head waters of streams, partly that they are mostly of land which, after a few years' cropping, will give little value to the farmer. I have previously endeavored to state most of the ideas given below to my readers, but some years ago, and in this differing style they may be more effective:—

The first and most important function of mountain forests is the preservation of the mountains themselves by clothing them with soil. The relation of mountain forests to the soil out of which they grow is curious and interesting. The soil now produces the trees, but the forest has produced the soil which now nourishes it. There was a time when there was no soil on the mountains of New Hampshire, nor on any portion of the Appalachian system—when the mountains were only ridges, slopes, and summits of bare rock. They were composed wholly of mineral substances, of matter entirely inert and incapable of supplying food to vegetable organisms. There was not an atom of soil on the rocks of the whole region, and no vegetable growth of any kind. Then, when conditions permitted, nature began a new order of things here with some of the lowest forms of vegetable life resembling the lichens of our time. Some of these could grow here and there on the rocks, and whatever could grow would die and decay, but would not wholly perish. Some slight particles of its fibre or substance would remain undestroyed through all the changes of decomposition, and in the course of centuries or thousands of years, a thin film of soil was accumulated here and there, sufficient to nourish vegetation of a little higher character and organization than had belonged to the pioneer organisms.

How great the distance from that far beginning to the first tree! And very poor and inferior trees the earliest ones were when they did appear, compared with those which make our forests now; but they were the best that the still scanty soil would sustain. Ever since the leaves of the first trees began to fall the trees have been slowly adding to the deposit of soil which now covers the rocks, and which has reached the depth and productive potency required to sustain the noble forests of our own time.

The great stratum of fertile, life-producing soil which now lies folded around the shoulders of the hills is the result and accumulation of patient ages of dendral toil. Nature has wrought incessantly, through mighty cycles of time, to clothe the desert rocks with life and beauty, and in the untainted air of these lofty slopes and plateaus she now grows forests which are like the columned

aisles of vast cathedrals. Ships which cleave the waves of every sea; and the cottages and palaces of mighty cities, with myriads of structures for man's varied industries, have been builded of materials supplied by our mountain forests. The superior quality of the timber now grown, and the vast quantities in which it is produced, are effects of the wonderful fertility which the soil has attained. It is richer than ever before, but it has not reached the limit of possible productiveness. There is no such limit, indeed, and if our mountain forests were rightly managed they would forever increase in fertility, and the quality of their timber would be thereby gradually improved.

A forest is the only crop, so far as I know, which can be produced perpetually on the same ground without diminishing in any degree the fertility of the soil. It is a remarkable fact that a forest not only does not impoverish the soil out of which it grows, but that it actually enriches it. As the soil is thus improved it responds by producing superior timber. A monntain forest would yield better timber, and more of it, at the end of a thousand years of proper management than at the beginning, and proper management means and includes the cutting of every tree when it reaches its best estate.

Farming in Mountain Regions.

The entire effort at farming in mountain forest-regions in this country is often a most destructive and suicidal mistake. Much of the ground that has been cleared for cultivation in such regions is so steep that if forest-conditions are once destroyed upon it the soil is certain to be washed away. It has always been manifest to intelligent observers that such land is suited to the perpetual production of timber, and of that crop alone. In many instances in our state land has been cleared and "farmed" with very slight returns, which would be much more valuable than it now is if it were still clothed with forest. The yield of farm product in such cases is scanty and uncertain. In some places the land is too high and cold for successful cultivation. There are frosts late in spring and early in autumn, and sometimes in every month of the brief summer, and the soil is soon exhausted. It would be difficult to find anywhere an instance of more obvious natural adaption to the particular function than our whole mountain forest-region exhibits in its fitness for permanent forest-growth and its unfitness for any permanent beneficial use after forest-conditions have been fully destroyed. It would have been much better if some of our "abandoned farms" had never been cleared. In some parts of our country vast values have been permanently blotted out by clearing and cultivating mountain land, and those States will be poorer for all time to come by reason of the resulting destruction and removal of the soil of considerable areas of their mountain regions.

Ruin by Fire.

The most fatal agency in destroying the soil of a mountain forest-country, and in wrecking the mountains themselves, is that of fire, and in the history of most mountain forest-regions the operation of this agency has been closely connected with the attempts to cultivate the soil to which I have just referred. In various regions of the Appalachian mountain system many of the farms have been cleared simply by burning the timber and brush left on a tract after it has been lumbered over, and the first crop is planted in the ashes. In a few years the soil is exhausted or washed away, and the farmer goes a little further up or down the valley, or across the stream which runs through it, and repeats the

operation. But the injury to the mountains which is caused by the destruction of the soil of these limited tracts which have been cleared for cultivation is trivial when compared with the losses which have resulted from the forest-fires having their origin in these clearings.

When we consider the rapidly increasing density of the population of our country, and the great advance in the value of all fertile lands, especially in the Eastern States, it is obvious that the complete destruction of the soil of any considerable area is a very serious matter. There are few kinds of losses or misfortunes affecting property which are so calamitous as this. It is a crime against posterity, a permanent subtraction from the wealth and the capabilities of the country. The soil is, to a very great extent, the country itself. A burned city can be rebuilt, and the system of insurance distributes the loss widely. But there is no insurance on the soil of our mountain forests, and when it is once thoroughly burned it will require mighty cycles of time to restore it. Its producing capacity for ages, and all the "promise and potency" of a perpetual succession of valuable crops, are at once reduced to nothingness.—*From the Report of J. B. Harrison, Commissioner of Forests for New Hampshire.*

FORESTS IN THEIR RELATION TO THE PUBLIC HEALTH.*

By Dr. Bryce, Toronto, Secretary Ontario Board of Health.

Mr. President, Ladies and Gentlemen of the Association:—From the earliest times that the phenomena of climate have been observed, we have abundant evidence that the presence or absence of forests has been remarked as producing influences, which have had their effects upon the salubrity of different localities; and, in the warmer countries of Southern Europe and Asia, the deities of the woods and groves stood in high favor with their devoted worshippers.

The people of more recent centuries, too, have not been blind to the protective influence of forests; but it has, until very recent years, been difficult for the energetic settlers who have had to hew out for themselves homes from the forest primeval, to view the sturdy forest trees in any other light than that of their natural enemies.

Indeed, it yet seems hard for us, as we visit our frontier settlements and see the small clearances and limited sources of income which the settler possesses, not to sympathise with him in his struggle for existence, and to view with calm indifference the wanton destruction of the woods, which in older settled portions of the continent, are coming to be looked upon with a regard akin to reverence. To most of us the value of our forests, as direct revenue producers, must naturally appeal first, while to many others their indirect value from the influence they exert on agricultural productiveness will appear important; but few, indeed, have carefully considered how far-reaching are the influences which their existence or their non-existence may exert upon the public health. Some few months ago I had the honor to briefly introduce the subject of "The Preservation of our Forests a National Sanitary Need" to the International Conference of State Boards of Health then in session at Nashville, Tenn., at a time when the levees of the Mississippi were in danger, and when in some of the Gulf States, destruction had visited extensive areas of country. The Conference, and notably those delegates from the South-Western States, realizing the importance of the matter, adopted strong resolutions expressing their views, and forwarded them to Federal and State authorities, urging the adoption of

* Read at the meeting of the American Forestry Association, Quebec, 1890.

such legislation as would encourage tree-planting in suitable localities over the continent, and thereby serve to mitigate in some degree that destruction of life and property from floods and cyclones, due in large measure, we believe, to the absence of adequate forests on the head waters of many of our largest rivers, and upon the thousands of miles of prairies popularly spoken of as treeless.

To further show its active interest in the important work of which this Congress is the exponent, the Conference, through its president, has requested me to attend here as its delegate, and lend to those who are engaged in this praiseworthy work the support of our Association, whose members comprise the most active and prominent sanitarians of the various states and provinces on the continent. In the name, therefore, of the International Conference of State Boards, I am present to-day to offer this assembled Congress greeting, and to offer the active support of this conference of health officers in all measures tending to the abatement, or, at least, the mitigation of those evils which are unfortunately too apparent to all of us.

Engaged some fourteen years ago in lecturing on chemistry and meteorology to the students of the Agricultural College of Ontario, I became greatly interested in the influence on organic vegetable life, of the amounts of rainfall during the months of germination and growth; and being anxious to determine, if possible, the truth of the theoretical teachings of chemical physics, as regards the relationships between soils, trees, and the circumambient atmosphere, I made a careful and laborious study of the tables of the Toronto observatory, beginning with 1840, and for purposes of comparison took the semi-decades of 1840-45, 1850-55, 1860-65, 1870-75.

From the tables which were published at the time in a paper read before the Canadian Institute, several results became apparent.

Total Snow and Rain.

1840-44	216.57	inches.
1850-54	164.684	"
1860-64	160.387	"
1870-74	152.62	"

or, between the first and fourth periods there was a total decrease of 63.95 inches, or a yearly difference of 12.79 inches.

The total moisture is divided as follows:

Total Rain Fall.

1840-44	191.020	inches
1850-54	137.999	"
1860-64	131.706	"
1870-74	113.150	"

or, between the first and fourth periods there was a total decrease of 77.87 inches, or a yearly difference of 15.35 inches.

Total Snow Fall (12 inches snow, one inch rain.)

1840-44	322.70	inches
1850-54	320.10	"
1860-64	344.38	"
1870-74	473.83	"

or, between the first and fourth periods there was a total difference of 151.13 inches, or a yearly increase of 12.59 inches.

These calculations agree exactly with theory. In comparing the individual quarters of each period, I arrived at the following results:—March has remained much the same still; with April is found a decrease of more than ½ inch, a decrease that increases with each month until September, thus:—

	April, May, June,	July, August, September.
1840-44	48.55	68.101
1850-54	40.195	48.625
1860-64	32.742	45.617
1870-74	34.670	35.14

The significance of this unpleasant change must be evident to all. The average temperature of the two months of germination is lower now than it was forty years ago. Thus:—

	March.	April.	May.
1840-44	29.88	42.62	51.22
1850-54	30.24	40.06	50.68
1860-64	29.02	40.80	52.86
1870-74	27.24	40.18	53.36

This undoubted fact causes what is termed a late spring, the period for growth and development of the plant being shorter than formerly. The temperature of May, the first month of real growth, is now warmer than formerly, by an average of nearly two degrees. The growth is thus apparently forced unnaturally to make up for loss in April, but the attempt is rendered futile by an undue dryness, the rainfall in May having been:—

1840-44	15.015 inches.
1850-54	13.675 "
1860-64	14.055 "
1870-74	8.640 "

I do not propose to again discuss these figures, further than to say that it is apparent that if the period of germination is made later in Ontario by April becoming colder, and if the month of May, is notably hotter and drier, then that normal development of plants is very materially affected, and results in greatly reduced arboricultural returns. It will further be manifest, however, that those causes, whether of damp soil, cold winds or excessive heat, which are inimical to normal or healthy plant growth, may become the conditions favoring the operation of other influences inimical to plant life, such as vegetable parasites, the poisonous effects of the complex organic products of an aerobic bacterial life in imperfectly aerated soils, of insects, etc., etc. I cannot forbear illustrating this point by referring to a recent paper by Prof. H. Marshall Ward in the proceedings of the Royal Society, "On Some Relations between Host and Parasite in certain Epidemic Diseases of Plants."

He points out what would seem self-evident, "that a plant may vary within very wide limits of the condition we term health." We may, for instance, having a herbaceous plant growing under a high July temperature with an abundance of solar light, when suddenly the temperature falls, rain sets in and

the weather remains cloudy for days. Transpiration through the leaves being almost stopped the plant becomes suffused with water and the movements of the absorbed gases are greatly retarded. Now to realize the effects, we have to recognise that the growth of the plant depends upon a healthy condition of its sap, which contains corpuscles and nutritive fluids, which constitute its circulatory system just as much, and in the same sense, as the blood does in an animal. Prof. Ward further points out that the life and growth of the plant depend upon the absorption and assimilation of food, commonly spoken of as metabolism. What thus goes on in the plant depends upon the fact that the cell protoplasm absorbs oxygen brought to it from the water of the soil and from the air, and this oxygen combines with the various compounds contained in the protoplasm. These bodies are thus broken up while others form new unions. Complicated life movements are thus set up, and heat even is developed by the oxygen taking hold of the carbo-hydrates, as starch and glucose, and by the nitrogen absorbed, certain nitrogenous compounds often called, in medicine, the active principles of a plant, as asparagin, etc., are found. A most interesting fact which finds its parallel in the excessive development of acid compounds in the blood of rheumatics and persons suffering from various other troubles, is found in the excessive formation, out of protoplasm, etc., when a lack of carbohydrates occurs in the plants, tissues and sap, of organic acids (such as malic, oxalic, etc.) They are due to incomplete oxidation and their variations in quantity depend greatly on the activity of the metabolic processes and, therefore, on the intensity of respiration.

Remembering that the carbohydrates are formed by carbon dioxide and water meeting in the chlorophyll of the leaves and other growing tissues, and that the activity of the chemical changes depends largely upon certain rays of sunlight, we can in some degree comprehend how the conditions, favorable to vigorous plant life, must in a very special sense be the measure of the resistance which any plant will make to injurious influences. Here, again, we find a parallelism to the resistance which the animal organism offers to malign influences. Housed in dark work-rooms and offices with limited supplies of fresh air or oxygen, we have as a result imperfect assimilation or metabolism going on in the blood and tissues, and so we find that the germs of disease in the shape of vegetable parasites, as diphtheria, obtain an easy victory over debilitated and non-oxidized tissues.

Prof. Ward details at some length how the fungus *Botrytis* develops on many plants, and points out that sunshine is wholly unnecessary to its development, and that dull, damp weather and a saturated atmosphere, so injurious to higher vegetation if prolonged and at a low temperature, are distinctly favorable to the development of these fungi. It has been found further, that the mycelium of the fungus develops a ferment—just, for instance, as the diphtheritic microbe secretes a *leucomaine*, which acts as a poison to the human system—and that the poison possesses the property of swelling and dissolving cellulose, and further seems to kill the protoplasm at the points where the fungus has made its way into the cell-tissues of the plant. The action seems to be associated with the formation by the fungus of oxalic acid, which in excess rapidly destroys protoplasm, and so acting like other acids, causes the leaves of the plant to turn brown. The result is analogous to the effects seen, notably upon evergreens in the neighbourhood of brickyards, where, during the burning, sulphurous products are given off which being oxidized in the atmosphere, exert an acid action on the soft tissues of the growing wood.

Hence we see that whatever makes for normal growth and development in plants tends equally to enable them to resist the attacks of malign influences.

We find further admirable examples of this in the wheat-rust, the potato blight, black-knot, etc., and in the conditions opposing or favoring their development.

We now naturally must turn and inquire whether we have any analogous conditions which affect climate unfavorably as regards the health of man, and if so, whether the same laws with regard to increased liability to disease become operative. Let us examine these physical influences and effects, which all will agree are largely the result of deforesting. We are accustomed to the use of the terms, (a) *equable, limited* or *insular*, as applied to climates with slight yearly and diurnal variations; and (b) to *extreme, excessive* or *continental, i. e.*, as applied to climates with great variations. As producing these we speak of proximity to extensive water surfaces, height above sea-level, etc. In addition to these classes and others, such as latitude, nature of the soil, etc., we recognise that the covering of the soil plays an important function. Herbage, as remarked by the latter Dr. Parkes, is always healthy, but trees play by far the most important part of any kind of vegetation: (*a*) By keeping the ground cool through directly obstructing the sun's rays: (*b*) By presenting in their leaves an immense evaporating surface: (*c*) By this means taking up through the roots an enormous amount of water, thereby preventing a stagnation of ground water, and aiding healthy nitrification processes by the constant introduction of oxygen into the soil: (*d*) By thereby creating a moist and cool atmosphere around the tree through evaporation, while the same process prevents rapid chilling of the soil by radiation, and at the same time, by the circulation of the sap, a rapid chilling of the tender,exposed parts of the tree is obviated.

We thus have, through the beneficent agency of trees, an equability of climate, obtained in no other way, and in so far as this is a factor favorable to health, we have a distinct advantage to be gained by the preservation of trees.

On the other side, where forests are absent, the excessively rapid changes in temperature, induced by rapid radiation of the earth's heat, affect most unfavourably those exposed to this rapid chilling, and who may not have such strength and vigor of constitution, as to resist its effects. The rapid abstraction of body heat is as inimical to the health of man as of plants, and leaves persons exposed to specific causes, which, under more favorable conditions, are inoperative. Associate with these extreme daily-ranges of temperature, frequent extremes of weather, as of winds and storms, and we have exactly those physical conditions productive of internal congestions, inducing in some form or other, those diseases which hold so prominent a place in our mortality tables. Take but one disease, the causation of which has been long in dispute. Surgeon Major Oldham, of the Indian Medical Service, insists that malaria is due to cold. Logan, in a work on the climate of Chili, tells us that malaria prevails on the table lands, while the lower levels are free from it.

So much then on this part of the influence of trees in preventing a rapid and extreme chilling of the soil and of the atmosphere contiguous to it.

Speaking in the more exact language of to-day, I would say that these gentlemen ascribe to the moisture and cold a condition whereby a cause is given an opportunity of becoming operative by their depressing influences. In other words, the monad, the cause of malaria having entered the system becomes capable under these conditions, of multiplying and overcoming the resistance of the body, just as *Botrytis*, under similar conditions, grows in plants.

Their influence in preventing these rapid and extreme changes, applies likewise in the matter of forests lessening the changeability and violence of the wind.

Dr. Charles Smart, Acting Surgeon General United States army, made some careful experiments on the laws regulating radiation of heat, and other relations thereto of wind and moisture. He says there are three principal factors going to make

up climate in its relations to our animal heat, viz.: (1) The absolute temperature of the air: (2) Its motion: (3) The moisture contained in it. The effects of rapid radiation upon the human system, it is assumed by a large school of etiologists, are so great as to produce disorganisation of the nervous mechanism that presides over the temperature of the body, and this upsetting of the heat regulating centre is likely to happen when the body has been subjected, during the day, to extreme solar heats and fatigue, and is exposed after sundown, and in the night to the tropical or sub-tropical chill, which will be severe in proportion to the rapid cooling of the ground, and the amount of vapor condensed in the lower stratum of air.

How notable are the differences in the degrees of radiation of heat from the earth is seen in the statement made by Tyndall in connection with some radiation experiments published in detail several years ago, to the effect that were it not for this invisible gaseous envelope, with its moisture surrounding the earth, it would long ago have radiated its heat to an extent totally destructive to the life of every living organism. All of us are familiar with the old example of how on the desert plains, whose soil may attain a temperature of 150° or more during the day, radiation produces, after sundown, so rapid a cooling as to produce hoar-frost as seen on the blankets of travellers who have laid down to sleep on the sands in the open air.

In the matter of clothing our bodies we find the same laws in operation, and protect ourselves by non-conducting flannel and silk under garments.

It is well to recall what long ago was affirmed, that plagues were stopped in their progression by forests, while there is indubitable evidence going to show that belts of trees have effectually protected communities against the emanations of malarious marshes.

I now propose to speak of an influence exerted by forests, which, studied to some extent, has from the very nature of the case, been but imperfectly appreciated. I refer to their influence, first upon ground waters, and second, as related thereto, their influences upon the processes of nitrification.

Our literature teems, with illustrations of how the never-ceasing and uniform flow of springs celebrated for their curative properties, and presided over by some old-time deity, has been largely decreased by the wanton destruction of the forests which protected their sources; while in Ontario we behold the yearly decreasing volume of the dozen or more splendid rivers, which taking their rise in the central plateau, flow toward some one of the four great lakes, Ontario, Erie, Huron or Georgian Bay.

Towns and cities have sprung up on every side, and as their needs have increased they have looked for local sources of public water supplies, only to find their local streams uncertain in amount during the later summer months, while their decreased volume has resulted in a relatively increased pollution, which makes their use as a source of public water supply, in many instances, quite out of the question. All will see how serious such a matter becomes in its relations to health. But this evil is much more far-reaching in its effects. Assuming that under ordinary circumstances the amount of water which finds its way into the soil is 50% of the total annual rainfall, it will be apparent that if in all parts of the Province, the snows, by the irregularities of the winter season, pass away rapidly, as they now frequently do during a thaw, to the streams and rivers without being taken-up by the then frozen ground; if further during the spring the heat of the sun causes so rapid a melting of the snow, as to make bare the fields in a few days, and fill the streams to overflowing, there results an incalculable loss to the underground sources of supply, which we are coming to look upon more and more as reservoirs, never-failing in their abundance and

perfect purity. What such losses mean may perhaps be appreciated when I say that, assuming that six inches of the 25 or 30 inches of annual rainfall are lost by deforesting, we have a direct loss to our underground sources of supply amounting to nearly 100,000,000 gallons per square mile of surface. What this loss means to a city which has to look to driven-wells for its supply will readily be understood, since the more extended that the necessary gathering ground becomes the more expensive does the matter become to the city, whose demands are constantly increasing. Curious as it may appear we see on every side two constantly attendant phenomena, yearly and increasing needs of pure and sufficient water for our cities, and yearly decreasing supplies as regards both purity and quantity. Remembering that it is commonly agreed that more than eighty per cent. of all our typhoid fever is produced through the medium of drinking water; that some 700 deaths and more than 10,000 cases occur in Ontario yearly, causing a loss of labor, of more than 300,000 days, and at least as much more unproductive expenditure of capital, we can understand how from the health standpoint alone deforesting has an economic importance, well-worthy of our most serious consideration. The matter of the loss to the soil produced by the sudden disappearance of the water resulting from the melting snows, and the equally useless and even destructive effects of the torrents which are poured upon the baked and arid surfaces of our fields, by the thunder storms of summer, have another and far-reaching influence in the matter of the retention and utilization of the organic matters of the soil. The vegetable organic matters of our virgin soils, the manures which are deposited on our agricultural lands, depend alike for their beneficial effects, upon whether they are quickly utilized by being converted through the action of the bacteria of the soil into compounds assimilable by plants. Now, upon the aeration and upon the moisture of the soil will depend the rapidity and perfection of the nitrification process. All are aware of how manured or meadow lands often seem to be productive of but little results during a dry summer, and again of how a soil cold and unaerated is equally barren of results. We recognise the reasons of this as two-fold; first, a lack of drainage, whereby the water of the subsoil is prevented from being removed in such a manner as to allow of *aeration* of the soil, and second, from a lack of warmth of soil whereby the bacteria are able to multiply rapidly. A soil left dry after the floods bakes and becomes impervious to air; while its cold subsoil may be so clogged with water, that the bacterial action which goes on is productive only of those compounds which produced by microbes multiplying in the absence of oxygen, are positively injurious to plant-life. Now, when we refer to the effects of forests upon the soil we find that, while they enable the water entangled in the interstices of the leaf-mould and humus, to pass silently into the earth, protected against the scorching rays of the sun, they likewise act in the most positive manner as drains to large areas of surrounding soil. Their tap-roots running downward often pierce retentive clays, and the organic decomposition which goes on in the root fibres creates innumerable drains by means of which subsoil waters are lowered to a notable degree. How great this drainage becomes may be measured by the amount of water which is evaporated by a tree. Parkes and others have given us figures showing an evaporation from the leaves of a tree as equal to 2½ gallons daily, or as given by another equalling 212 inches of an annual rainfall. This evaporation may be best comprehended by imagining it to be at least equal to one foot of water from a surface equal to fifteen feet square.

This removal of ground water, viewed from the public health standpoint, is most important. By drainage or a lowering of the ground water, Dr. Buchanan, president of the Local Government Board of England, has shown that in a few

years, the death-rate from consumption in drained towns was reduced nearly 50%; while everyone is familiar with the story of how, at a Trappist monastery situated on the Roman Campagna, eucalyptus trees planted about it caused a disappearance of malaria from all the inmates except from amongst those whose rooms looked upon a damp inner court. This phenomenon being observed, several eucalyptus trees were planted in the court, when through the drying of the soil by their roots, and a utilizing of the products of normal decomposition of the soil, those conditions favorable to the development of the malarial poison in the soil were removed and the disease disappeared.

This phase of the subject is worthy of much more extended treatment, but time prevents us.

Regarding those direct influences upon the public health, resulting from floods and cyclones, I shall not speak at length. They are patent to all. If there ever were a year when our legislators, our scientists, the people generally have been made aware of how nature, "*red in tooth and claw*," avenges herself on those who despise her teachings, it is the year of grace 1890. I had intended to have made a table showing the disasters from these causes, as collated from the reports of the daily press, but I have forborne. It would have recalled horrors useful only so far as they teach us lessons. Modern science is striving with much success to chain every force of nature to the car of human progress, but it would seem as if the father of the gods resents the violation of nature's laws and this destruction of her sylvan fanes, while the stealing of the fire of the gods by a modern Prometheus results as of old only in the punishment of man. *Sic itur ad astra* seems ever to have as its refrain *facile est descensus Averno*, and to balance the evil and good between these, the lumberman and agriculturist who would subdue the earth, and those, as the sanitarian, the engineer and poet who would maintain inviolate nature's gifts in the trees, is equally the aim and we trust the attainable ideal of such Congresses as this.

"*We trust that somehow good will be the final goal of ill.*"

FORESTRY CORRESPONDENCE.

The following letters and extracts give an idea of the progress of forestry throughout Ontario, and also much valuable experience of the various writers. They were mostly in reply to the following list of questions:—

1. Whether and to what extent lines of trees for windbreak or ornament are being planted, and how those planted are thriving?

2. Whether plantations of young trees have been set out, and how they succeed?

3. Whether cattle are fenced out from any portions of forest in your neighborhood, and how it answers?

4. Any difference in climate, rainfall, drifting of snow, and so forth, you may have observed since the clearing of the country?

5. What measures, if any, would be likely to improve the existing state of affairs?

1. A good many, in this neighborhood, are planting trees for wind-breaks and also for ornament. The kinds of trees principally used being Norway spruce, soft maple and our native red cedar. The last named makes an excellent wind-break, as they grow very close: in this respect they are equal, if not better than the Norway spruce, and are much cheaper. I have wind-breaks on the north

and west of my building and orchard, those on the north being principally soft maple; but, on the west, which is exposed to the severe blasts off Lake Erie, a double row of soft maple, Norway spruce and red cedar. The maples and cedars I get on my own farm, and the Norway spruce from the nursery at Kingsville, only a few miles away. They are all doing very well.

2. I know of only one plantation, that of Hiram Walker & Sons, which was planted last spring at their far-famed summer resort (the Metawas), near the village of Kingsville, on Lake Erie shore; they planted 1,000 trees, principally soft maples and elms, and as far as I can ascertain, they are doing very well.

3. I am sorry to say that cattle are not fenced out of any portion of forest in this neighborhood. I am satisfied it would be a great benefit to the little forest that is left, if cattle were fenced out. I notice that where they are allowed to run in bush pastures, everything in the shape of second growth is completely destroyed, and nothing allowed to grow but the larger timber, which, in a few years, will be all gone.

4. I am told, by old settlers here, that the climate has changed very much since this township was first settled. In those days they knew nothing of the long drouths that we have now nearly every year. What little snow we get is very little benefit to us, as it is all piled up along the fences. Consequently, our wheat fields are left bare and exposed to the hard freezing weather that we generally have in January and February.

5. I have no doubt that tree-planting, especially in belts along northern and western exposures, would be a great improvement.—James H. Brown, Harrow, Essex Co.

1. A few lines of trees have been planted along roadsides and are doing well. 2. None set out in plantations. 3. Cattle are generally fenced out, and it is a great advantage to the young trees. 4. The snow drifts badly, blocking the roads and leaving the fields almost bare. 5. A compulsory Arbor Day would fill the bill, so far as roadside planting is concerned, each path-master overseeing the work the same as ordinary road work.—Joseph Griffin, Crewe, Huron Co.

1. Norway spruce make the best wind-break. There have been four lines of them planted in this section; they grow very well, a little slow at first. 2. We have seen no regular plantations of young trees, but I think young forest trees would succeed well if that the field mice could be prevented from girdling them when young. 3. Cattle are fenced out from some portions of forest. I fenced cattle out from fifteen acres of hardwood bush for about five years and the bush began to grow very thick with little maples, ironwoods, and white ash. 4. No difference except heavier snow drifts in winter resulting from want of protection. —William Curry, Hills Green, Huron Co.

1. I have been planting trees for wind-breaks and find them beneficial—spruce, balsam and others. 2. The trees succeed well. 3. Cattle are not fenced out in Algoma, except in rare cases. N.B.—I lived in Huron County for twenty-five years and found out the benefit of trees around farm-yards and orchards.—William Harris, Day Mills, Algoma.

1. This section of Western Ontario was more lately settled than most of the surrounding counties, and, therefore, the value of the forests has not been felt until lately. The timber was very fine, consisting chiefly of maple, beech, elm, ash, basswood, oak, birch, and black cherry, in deciduous trees, and hemlock, balsam, and arbor vitæ in evergreens. A large part—too much, indeed—of these woods has been cut down or destroyed by fire. Until lately very few trees were planted on farms in this neighborhood, but now numbers are planted every spring along the roadsides and around the orchards, barns and houses. The

greatest difficulty with most persons seems to be that a large number of the trees fail to grow. The soil is a heavy clay, and newly set trees do not appear to grow so readily as on a lighter soil. I have known men who planted trees and, at least, three-fourths of them did not grow, but it was chiefly through their own carelessness in not taking care of the trees, as others get nearly all to grow. 2. No plantations have been set out as yet. 3. The larger number of farmers allow their cattle, sheep, etc., to run in the woods, but those who "fence them out" soon have a dense undergrowth of young trees and berry bushes growing up, and all are agreed that it is the best plan. In this, however, it is as with planted trees, viz.:—they do better on a lighter soil. 4. Since removing the forests, the winds are stronger, thus causing damage to grain, fences, etc., and also the storms are much more severe in winter. The snow is blown off the fields and laid in great drifts in the hollows and by the fence sides. The drought of summer has also been increased. 5. Many farmers are rather ignorant on this subject and to enlighten them as to the advantages of planting trees, and the necessity for caring for what they do plant would, I think, improve the state of affairs.—JAMES NEILSON, Newton, Perth Co.

Some few years since you gave me good advice which was acted on with happy results, but in consequence of most of my young trees being Norway spruce, and very palatable to most farm animals, I could, with hopes of good success, only plant where stock could be kept out of the fields, so planted, altogether, or else go to much expense and trouble in fencing around the trees. However, had I gone to the trouble and expense, to a much greater extent at the time, even had I borrowed the money for the purpose, I should feel better satisfied now. I have about three or four thousand planted out in single, double and treble rows, in places where they are of much benefit to both stock and crops, besides beautifying the farm, most of them having been planted out about twelve years, and these are about fifteen feet high, much admired by any one with any taste for things of beauty, and they are a great prevention against snow drifting of the adjoining roads. 1. There has not been much done by the rank and file of the farmers in the way of tree-planting, but by amateur farmers, such as those who have made money by professions, lumbering, etc., much more progress in that line has been made, and the trees mostly planted have been hard maples (acer saccharinum) which are the kings of deciduous trees for street or roadside planting, and some soft maples and elms.. 2. Very little has been done in this way except by myself, and the success attending what I have done is beyond my most sanguine expectations, particularly where the land had been properly prepared by good tillage, and where grass and weeds were kept down, and potatoes or other root or hoed crops were planted between rows for five or six years, or until the trees nearly covered the ground and were making good headway. 3. In very few places, but in these few, the benefit is very apparent in the preservation of the forest. 4. Cannot say that the rainfall has been lessened, as the season just passed has been the wettest I have ever noticed, but there has been a marked falling off of the streams and rivers going on for years and still going on. The weather, however, seems to be more changeable, caused, no doubt, by the removal of forests which acted as wind-breaks and barriers in reducing the velocity of the winds and modifying the temperature. The snow drifts, of course, now exist in a most obstructive manner where formerly they were unknown. 5. My idea would be to instruct through the newspapers. 1st. As to the best varieties of trees to plant. It always makes me unhappy to see as I do, in nine cases out of ten, people plant as evergreens "balsams" (Abies Balsamea), almost worthless trees, where they could almost as easily have procured "black" or "double spruce" (Abies Nigra), a splendid hardy native tree, and when well

grown, superior, in my opinion, to the best grown specimens of the Norway spruce (*Abies Excelsa*), although of admitted slower growth than the latter, they are closer, more robust, and spread out better. I know where there are two or three specimens of them worth driving ten miles to see—about thirty feet high and with a spread of twenty-five feet. It is equally upsetting to me to see a preference shown to the soft maple (*acer rubrum*) for street and roadside planting, and having it advocated as a more suitable tree than the hard maple (*acer saccharinum*). The Norway maple (*acer platanoides*) is a fine and hardy tree and thrives well in this section of the country.—EDWARD D. NEWTON, M.D., Barrie, Simcoe Co.

1. Trees planted along roadsides more or less every spring, but not to any great extent—seem to be thriving. 2. No, no attention paid to it. 3. The woodlands from which cattle are excluded full of young vigorous growth—none where they run. 4. A great difference in my recollection of fifty-six years—drying up of springs, impassable drifted roads. 5. Government aid to stimulate planting. A general Arbor Day same as for schools. Nurseries of trees furnished at cost by government. New varieties such as larch, Norway spruce, sweet chestnut, etc. Trees furnished to those who send an order. Blank orders sent to any address.—JOHN LE BOUTILLIER, Glen Miller, Hastings Co.

1. In this section, people seem very reluctant in undertaking setting out lines of trees for shelter, several have set out trees for ornament with good success. 2. Question—No, none. But they would be a success if properly attended to. 3. I know of only one or two who shut their cattle out of their woods. In these cases there are lots of young trees from two inches to twelve feet in height, making a thick growth that will in a few years make quite a forest of beech, maple and other hardwood. 4. For some reason the summer is cooler. Rain falls heavier, apparently. Snow drifts are more frequent and heavier since the timber has been cut away. 5. I should say addresses or papers on the subject, read at Farmer's Institutes by some one in a position to answer all questions there at the same time, would have a good effect.—JESSE H. KILLMAN, North Pelham, Monck.

Until the age of twenty-three, my home was in Switzerland, and there, wherever the forest is cut down for any purpose whatever, it is always replanted the next year. 1. In our neighbourhood very few trees have been planted, either for ornament or wind-breaks, but wherever planted, they are thriving well. 2. None whatever. 3. Cattle are not fenced out in any case that I know. The cattle in a forest are a great draw back to its growth, as they brouse the young trees. 4. Much colder, and cold weather is much keener. I am sure that the forests temper the cold; much more drifting when the snow falls. For some years back, we have not had the necessary summer rain, but could not attribute it to the clearing of the forest, though I think that forests draw and keep moisture. 5. To introduce the most valuable forest trees, at the cheapest rate, to parties interested and willing to plant, in different localities through the country; my experience is, that groves of forest through the country would be very beneficial to serial culture.—FREDERICK ALLEMAND, Eden, Elgin Co.

Planted 250 trees along the highway—maple and some ash,—mostly growing well. Almost all the farmers are planting lines of maples along the roads in the older settled parts of our townships. Evergreens make the best wind-break in the winter. Keeping cattle out of the bush would be a great saving to the young trees, but they would have to be thinned out.—SAMUEL KERR, Rockwood, Wellington Co.

1. A few lines of trees have been set out and are thriving very well. 2. I

am not aware of any. 3. Not all the year, for a portion while the crop is growing and harvesting. 4. It appears colder in winter. The snow does not lie on the fall wheat, as formerly. The clover catch is more uncertain. 5. A bonus of a certain amount per acre, when five or ten years growing. One-half paid by the Provincial Government, the other half to be paid by the municipality in which the plantation is situated, and the municipality should have no option, but should be made compulsory as grants to High Schools.

Our forests are being cut down unusually fast these years, for several reasons I shall name. 1. The times are bad for farmers, and those having mortgages or legacies to pay have recourse to the few remaining acres of bush, to help them out of their difficulty. 2. A person purchases a farm with five or ten acres of good bush upon it; he calculates to sell the wood as soon as possible, to assist him in paying for his farm. 3. A well-to-do farmer intends retiring from the business, and is going to sell his farm, before doing so he makes an auction sale of the standing timber, realizing by this mode of selling, more for his property. 4. A farmer has several sons, he cannot buy farms for all, the homestead is too small to divide between them, the timber is first cut and sold, then the farm is sold and many of them go to the North-West. 5. Farmers who have tried it, say that coal is much cheaper for fuel, so the wood is sold, the interest of which provides coal sufficient for them; then they have the use of the land as clear profit. Unless some measures are taken towards encouraging planting out plantations, York Co. will be worse than the western prairie, through the foregoing reasons; for we will not have the rich soil of the west to plant our plantations, and consequently the growth will be slow.—D. JAMES, Thornhill York Co.

1. In my neighbourhood, trees (principally maple) are planted along farms bordering on the highway, as ornaments only, and in most cases, very poorly done. But the taste for planting is growing and spreading, and young trees are easily obtained. 2. There are no wind-breaks that I know of, except what were reserved at the back of farms for fuel. 3. It seems that the farmers delight to turn their young cattle into the woods during the summer to forage for their *existence* and to the detriment of the very young second growth. 4. The want of more bush certainly causes the snow to drift more than it did before the great clearing, and roads boarded by rail fences are often impassable every winter. 5. People must be taught. Arbor day in Public Schools is a good thing, but a great number of our teachers don't know anything about a tree.

Some years ago, I read a report of yours on forestry with a great deal of interest, and it set me a thinking and talking to my neighbours, and I also planted, and intend to plant more, year after year. More resinous trees are wanted to border our roads; they are the proper ones for that purpose, while those wanted for timber or fuel should be planted in blocks.—C. H. PETERSON, Clifford, Wellington Co.

1. Quite a number of forest trees planted in this section but they do not succeed well, either from careless planting or too dry summers. The kinds are principally sugar and soft maple. But so far as my observation and experience go, I would advise for forest trees, soft elm, oak, walnut, butternut, sweet chestnut, and box elder, a rapid growing tree, and surpassing the maple for sugar. This tree is pretty scarce and hard to get, but if any person would like to get this kind of tree, which I highly recommend on the account of its hardiness and rapid growth, I will try to get it for them. 2. I have seen no plantations in this part. 3. Cattle are not fenced out of any portion of forest. 4. No material differences in rain, or climate or drifting of snow. 5. Cultivate the

minds of the people, and impress the importance of planting forest trees, such as above mentioned, and evergreens around orchards and buildings.—T. Rickard Alvinston, Lambton Co.

In some cases cattle are fenced out of pieces of bushland. I myself fenced off about twelve acres of bush, from which nearly all the larger timber had been cut, the surface of the ground becoming sodded with June grass, and what small timber was left was getting stunted or was dying. It is some six years since it was fenced. For the first three years there was no marked change, but since raspberry canes sprang up and amongst them countless little seedlings, mostly maples. These little trees are doing nicely now, and I hope to live to see a fine young sugar-bush from them. The forest here is growing less every year, yet the rainfall for the last two summers was excessive. So much rain fell that a great deal of the crop, growing on low or level land was drowned repeatedly, and even high land became sour.—John McArton, Carleton Place, Lanark Co.

1. No lines or clumps of timber planted for windbreaks; some little is being done for ornamentation, but not extensively. 2. No. 3. No. 4. Yes, for correct statement of the difference see meteorological reports from Beatrice and Gravenhurst, at the Meteorological Office, Toronto. 5. Our elevated and rocky land is being denuded of its timber. With us many people seem to depend more on what they can take out of the bush, than what they can get out of the clearing to eke out a livelihood, and are stripping the forest of all it contains of any marketable value, without considering for a moment the price they are paying for the crust they get, and are only deferring for a short period the time when they must pull up stakes and quit, or pay more attention to the more legitimate calling of the farm.—John Hollingworth, Beatrice, Muskoka.

1. There have been very few trees of any sort planted out, but what few there are do well and grow very rapidly. 2. No, the forest supply is large enough to supply the demand for ten or twelve years yet. 3. There are but two farmers fence out cattle from the wood, which are growing up with berry bushes. 4. Yes. there is a big difference. The wind gets more of a sweep. There seems to be more thunder storms, and the rains are not so equally divided, causing drouth. The snow does not come so early, but drifts more, and not so deep in the fields. 5. If there were more trees set along the roads and along certain fences over the farms, I believe they would draw more moisture and improve the farms, and they would be a benefit when the forests get a little scarce. I believe it is the farmers' duty to look after the forests for their own interests.—Nicholas De Hart, Creighton, Simcoe.

1. Nearly all new surveys of lots in or near the city have been planted with trees along the streets for ornament, principally hard maple. Our own firm have planted over two hundred trees in this way within the last three years, most of which are doing well. 4. Our winters seem shorter and more broken, the difference in the temperature of day and night seems greater; where exposed the snow drifts from the fields to the fences; streams rise quicker after storms and go dry sooner than when more forest existed. 5. Better education of farmers to the value of forests in nature. Instruction in rural schools and a more general observing of arbor day.—H. S. Moore, Hamilton.

2. Three years ago I planted out seed including catalpa, butternut, black walnut, and American sweet chestnut—I since put in maple and yellow locust. The whole grew amazingly, and when a year old, I transplanted them and now have trees from six to nine feet high. My experience would lead me to recommend my brother farmers to start forest plantations at once. I might add that

I consider your forestry report a grand publication. My knowledge of tree-planting has been largely acquired by reading the reports.—CHRYSTAL GOSSEL, Kincardine, Bruce.

1. A small per cent. of the farmers have been setting maples for ornament. 3. There is but one bush in my neighborhood where cattle are excluded that I know of, and that is my own. 5. I would advise all persons having woodland to keep stock from running in to them. Lastly, would advise all persons to set out plantations and also trees for ornament.—WILLIAM NEICE, Stromness, Monck.

1. I am strongly in favor of tree planting. Since this section of country has been denuded of timber our winter roads are nearly impassable: the winds sweep the fields bare of snow and pile it up on the roads. We often have to drive in the fields which makes travelling very disagreeable. Our meadows are often badly winter-killed for want of a covering of snow. My neighbor on the east side of my farm, has a nice sugar bush of twenty-five acres, which affords considerable shelter to my fields opposite. 2. Our first snow storm last winter came on the 27th and 28th November, from the east with a very strong wind which swept the fields bare where there was no shelter, but opposite the bush mentioned the fields were covered with snow, to the great benefit of the clover in my new meadow. Where the snow lay there was a fine crop of clover and timothy this season. The rest of the meadow was winter-killed, no clover remaining and timothy injured. Concerning orchards, I find that shelter is very beneficial. Thirty-five years ago I planted my first apple trees. The winter after was very severe. My trees all died except a few that were planted near the fences and were covered in the snow drifts; these trees still remain vigorous, while I have had to renew the middle of the field with apple trees several times since. We have done considerable tree planting the last thirty years, which has improved the appearance of my farm very much and makes considerable shelter. We have a row of sugar maples on each side of the highway, across my farm, also other trees planted around orchards and gardens. We find that evergreen trees make a good windbreak. On the north side of orchards and farm yards we need shelter very much in this cold climate. We find that where fields are sheltered by woods the frost does not penetrate so deep in winter, therefore the soil dries much earlier in spring and is ready for cultivation much sooner than fields that are not sheltered.—WILLIAM CROSS, Caledonia Springs, Prescott Co.

1. A large number of trees are planted for ornament, few for windbreaks. 2. But one plantation in this section—that is sugar maple, and is doing well. 3. No very few but they should be. 4. Yes. I fancy we have more sudden changes than formerly, also longer and more severe droughts, it also affects our streams very much—sudden floods and very low water. The wind certainly has far more sweep than formerly to drift snow. 5. I think evergreen trees should be planted along the roadsides. Something must be done, and done soon, to keep up our supply of timber. There is a great deal of waste land that is now almost worthless that could be made very profitable by planting to trees.—R. DAWSON, Mohawk, Brant Co.

1. A few of the better farms have single rows of trees along the roads and fences. 5. More and better planting and better care when planted.—A. H. GONG, Tilsonburg, Norfolk Co.

As I am an ardent supporter of tree planting and forestry, I beg leave to reply I am constantly travelling through the County of Norfolk. The original forests are fast disappearing, and no effort has been made to replace them. There was a splendid forest all through here of pine, oak, elm, chestnut, walnut, beech, maple, etc., but it is largely gone now. All kinds of trees grow well here, and if

the farmers could only be got to take an interest, even if the mere seed were sown and cattle kept out, the woods would soon be crowded with fine young trees.—J S. Hodgins, Simcoe, Norfolk Co.

Within the past ten years I have set out some four or five hundred trees, principally maples, with a few Lombardy poplars, horsechestnuts and Russian mulberries. My opinion is that tree planting should be encouraged by every means possible, as they are not only ornamental and beautiful shades, but serve chiefly as a great check upon the bleak and drying winds that sweep across the country deterring and often destroying rapid and healthy vegetation. The total deforesting of a country exposes it to the action of wind and heat, encouraging droughts and the drying up of springs and streams that give moisture to the immediate vicinity surrounding them.—Wilson Arnold, Trenton, Hastings Co.

Tree planting would be of great benefit to orchards and fields, as the country in this part is so cleared up that even the fall wheat suffers to a great extent from having no shelter. I would recommend a double row of trees along the dividing lines of every farm, and also on the sides of orchards.—Robert Girvin Thornyhurst, Bothwell,

Since the forest has been cleared between me and the lake and the country is exposed to the full sweep of the wind from the lake; the snow drifts in great piles around fences and sweeps the fields bare, making it almost impossible to raise any fall wheat, except around the fences where the snow lies. I honestly believe if forest trees were planted in abundance it would remedy this, and we would be able to grow larger crops of fall wheat, and be able to drive along the roads in winter.—Thomas Sallows, Goderich, Huron Co.

In Georgina, Thorah and Brock many farmers have planted out lines of trees. Maples prosper: of 250 I saw set out only four died. The higher ground is exposed. I have often seen fall wheat come through winter in good shape but the cold winds of March and April would kill it. I know only of one man who preserved a real wind break—a second growth of maples which he had fenced off—some forty feet. This gentleman, Mr. Keenan, now of Orillia, told me that he never had one crop to fail him during some thirty years. Cattle are permitted to roam everywhere in the forest. The drifting of snow is much greater than formerly. Creeks and wells dry up in summer that did not do so before. As to the remedy, that seems difficult. The people do not understand the matter, and it must be impressed upon their minds; first upon the old, then upon the young. To reach the old a prize might be given by the county or township for the best artificially protected farm. The young should be imbued with ideas of forestry in the schools.—Francis F. Rohleder, Vroomanton, Ontario Co.

Much valuable timber destroyed in our township, but none that could be helped for several years back. Wood will scarce last fifteen years; many have none. 1. Not one in a hundred have a good wind-break, but handsome rows of maples are growing up. 2. No plantations. 3. Cattle not fenced out. 4. Snow-drifts bad. 5. After a few years when wood becomes more valuable the farmers will see it to be to their interest to keep cattle out of their woods, and will put out plantations of young trees on rough pieces of ground. Wood has been of no value in the past, and men have been doing all they could to get rid of it; so that you and all the men in Canada may write and talk to no purpose until wood gets scarce and more valuable, then there will be a rush all at once on how to secure a supply of wood. I am of opinion that when men see those beautiful rows of maples grow up in front of farms, and how it beautifies and makes the farm more valuable, that one after the other will follow suit until all, or nearly all, will have them planted out.—Andrew McGill, Chatsworth, Grey Co.

Notice a cleared valley; in the spring the side hills will often be bare of grass or wheat, or whatever might have been there. The current of air has been too strong. Plant trees across alternately so as to turn the current and the air will be checked, and those side hills bear the best fruit. Plant chestnut, both for posts and rails, for the nuts and for honey. Basswood is excellent, too, for bees and for lumber. The elm, too, is good here. But also plant cedar and spruce, for these trees drive away insects, especially from orchards, banishing the curculio from plums and cherries. Alternately, too, in an orchard these resinous trees are good for the same purpose. People should plant more of these trees and less of maple, for there is no tree grows which reduces the soil as much as maple.—L. KITCHEN, Bloomsburg, Norfolk Co.

1. Very few lines of trees are being planted, also very few of the ornamental. 2. Very few have been (young trees) set out, and what have been are maple. But they do not thrive, as the way people have of planting is not of the best. 3. Cattle are not fenced out from the forest. But they should, and most farmers know that. 4. I do not know of any difference in climate or rainfall, but I do in snow drifts. More dust now, less health, more catarrh, more wind, more dryness more discontent. I would make this recommendation to every farmer. Near his house I would have a square on the north side filled up with all sorts of trees, such as butternut, hickory, walnut, beechnut, hazel, cherry—all wild kinds. Then, again, between the forest trees and house I should have a few flowering trees and shrubs. The whole thing would improve the farm and add beauty to the scene.—M. W. SUMNER, Carleton Place, Lanark Co.

Until the last few years very little tree planting has been done. But now farmers are awakening to see the necessity of planting belts of trees for shelter, to protect their orchards and buildings from the fierce storms which, as the natural forest is being cut down, sweep more frequently through the country; and already a good beginning has been made in planting shelter belts, chiefly of Norway spruce, and the general feeling is to continue until their orchards and buildings are completely sheltered. Some fourteen years ago, while my neighbours were more or less protected by standing bush, my farm being very much exposed, especially on the north-west side, where for miles the storms had a clear sweep, I planted a double row of evergreens, principally Norway spruce, seventy rods in length on the north and west sides of my orchard and buildings. As I took care to transplant them properly they made a rapid growth, and now, instead of having the coldest place in the neighbourhood, I have the most comfortable, at least so far as storms are concerned. Some of my neighbours who, when I commenced planting, said I was doing a foolish thing, now wish that they had as good a shelter belt as I have. The benefit of shelter to the orchard I find to be very great. Some kinds of fruit and ornamental trees which winter killed while unprotected, now, by being sheltered, come through the winter very well. For instance, I had a number of some fine varieties of plums which winter killed before being protected, but are now doing very well. But the greatest benefits of shelter to orchards, at least in this section of the country, I find to be the protecting the fruit from being blown down by the high winds of late autumn, which generally blows down the largest and best fruit, which is thereby nearly rendered useless. The benefit and comfort of shelter to persons and cattle are very great, in fact it is "better felt than told."—JOHN M. MCAINSH, Belton, Middlesex Co.

1. Many plant trees along the road, and some for wind-breaks round orchards. 2. Not many timber plantations, but very many forest trees. 3. In some woods cattle are kept out, and there the second growth does well. 4. Lines in winter filled with snow. 5. Exemption from taxes for forest preservation.—CHARLES ELLIS, Meaford, Grey.

1. Only along roadsides are trees planted, and that principally for ornament, a great many have been planted in that way, and a few evergreens around buildings. 2. No plantations set out. 3. One or two of the neighbours have excluded cattle, and a nice undergrowth has come up. 4. Since the clearing up of the country I notice the weather is more changeable, the snow drifts more, and we are very much more troubled with floods in time of freshets. 5. I do not think anything can be done to remedy the present state of affairs except something on a very large scale, such as planting with trees the hillsides, especially along rivers and creeks. I would like to see something done to prevent matters from getting worse.—ALEX. FLETCHER, Mount Albert, York.

On lot 5, rear 4th Whitchurch, the owner, Mr. Lloyd, assured me he could always count on fall wheat in certain fields, due to a good sized forest on the north side of the road. I noticed four or five fields of extra good fall wheat last spring west of here, near Richmond Hill station. They were admired by everybody, and the cause was a beautiful strip of pines running north from the side-road on ridge. 5. If ridges like the above could be replanted with evergreens it would effect quite a revolution in the wheat growing of the district, and also in the clover crop.—S. J. WILSON, M.D., Richmond Hill, York.

We think so much of tree planting for shelter, etc., that we have surrounded our farm lands with evergreens and hedge fences, and are planting the same around farm yards and buildings and across the farm for orchard protection. Twenty-five years ago the bleak winds of Lake Erie were held back by our forest, now they sweep across with violence, making its effects felt on man, beast, fences and crops, while all our natural timber forest is gone on our improved lands. We have preserved groves of maple, near which our crops are safe.—E. & S. G. WIGLE, Ruthven, Essex Co.

1. Trees have been planted for ornament quite largely along highways and approaches to residences. Wind-breaks not to any great extent, and are mostly cedar, soft maple, etc. 2. Not enough done to express an intelligent view, but think they would prove a good investment, especially on waste upland. 3. The cattle are allowed in nearly all the woods in this locality, but where fenced out a few years make a vast improvement. Since the woods have been cleared up the snow is in stacks when there is any to drift. In regard to rain, it is at times sent in abundance, while the next season it is a hot, dry time from seed time till harvest. 5. I think if farmers could be induced to plant waste lands to forest and shelter belts we could help the existing state of affairs. There is not a score of farms in this Township but has from two to ten acres unfit to cultivate.—A. S. HODGINS, Osnabruck Centre, Stormont Co.

With the exception of a few trees being planted along the front of their farms by some of our more tasteful farmers, there is nothing done to increase the acreage of timber land. The original forest is fast disappearing, especially in heavy clay soils where the roots do not penetrate deeply and the high winds blow down great quantities annually. I have preserved some fine groves of young timber when clearing, which I value very highly for shade and beauty. I find the hard maple the best tree we have for the purpose of shade and ornament.—H. M. VALENS, Lucknow, Bruce Co.

1. There are few wind-breaks being planted here, but a good many spruce are being planted about the farmers' houses, and deciduous trees on the borders of the roads and in the village streets, all doing well. 2. No, land here is too valuable. 3. No forest here to speak of. Cattle allowed to run. 4. Yes, the creeks and small rivers fill and empty themselves quicker after thaw or rain. 5. Farmers should be induced to plant trees along the fences. The town council

might furnish the trees (deciduous—the conifer are too shady in the spring) if the farmers would plant, and keep them in order. -CHARLES E. TORRANCE, Burlington, Halton Co.

Very little is being done here in the interest of forestry. The forests are fast disappearing, and indeed there is not much use in trying to save the heavy timber, for the high winds of late years blow it down. There are some lines of trees being planted for ornament, none for wind-break to my knowledge. No plantations of forest trees except those planted in rows along fences or on the roadside. I do not know of any bush where cattle are fenced out to save the young trees. Of course there are some sugar bushes nicely kept. Since the country has been cleared, the winds are very much higher, drifting the snow, blocking the roads, breaking down fences and even buildings at times. If the children in the country schools were taught the principles of forestry, it would through them reach the right persons, and would I think, do good. If some of our politicians would tell the farmers about the influence of the forest upon the climate, and talk less about politics, they would then be doing some good for the country.—J. NEWMAN, Cardinal, Grenville Co.

1. Lines for wind-breaks not planted to any extent, but for shade and ornament quite freely, the maple especially. Where cattle are kept away, they thrive well. Have planted myself a large number of Norway spruce, Scotch fir and larch. The firs have done well, the larch not so well. 2. I do not know of any plantations having been set out in this neighborhood. 3. Generally speaking, cattle have not been fenced out of the bush, the consequences being that our woods are rapidly disappearing, and in a few years we will have no bush to fence. The trees are dying faster than we can use them, and in many cases the little piece of bush left is being cut down to save its value in dollars and cents. 4. There is a great difference in the way the rainfall finds its way off the surface. Creeks that once run all the year round, are now dry except for a week or two after heavy rains, when they fill up suddenly, causing floods that are very destructive. 5. Some little thing, however, each one of us might do, we could plant a few hundred evergreens round our houses and barns, which besides adorning our homes and making the landscape a "thing of beauty and joy forever," would naturally add to our comfort, and our children after us would rise up and call us blessed.—JAMES WILLIAMSON, Jarvis, Haldimand Co.

The following letters are from various nursery-men and tree-growers, who were asked to give their opinion on the value of tree shelter:

As regards tree planting as wind-breaks for orchards, I find that those who have wind-breaks are of the opinion that there is a decided benefit derived therefrom, in preventing the fruit from blowing off, also a protection from the cold in winter. I have noticed fruit trees have a healthier appearance where they are protected by an evergreen belt, than those that are exposed. I am convinced the Norway spruce, ash and Scotch pines, are the best trees for wind-breaks, they grow rapidly, are hardy, live long, bear transplanting well. I would advise planters to plant two or three foot trees twice transplanted, as they will have more success with that size than smaller.—M. MILGAN, Bright, Oxford Co.

I will give you one fact which is worth a host of arguments:

The apple crop is almost a total failure here, but there is one orchard of one hundred and sixty trees, owned by B. Johnston, Esq., of Carleton. The tenant, James Kingdom, has refused $450 for the year's crop as it hung on the trees. This orchard adjoins the village of Islington, and I can vouch for the facts.

I think it is a mistake to plant shade trees on country roads where the soil is clay, as it prevents the roads from drying, but on sand or along inside fences they would do much good. There is a grove of young pines on the north of

Mr. Johnston's orchard, it covers about half an acre, and protects the trees from the north winds. That is the only reason I can find why this is the only orchard with a crop of fruit on it, in this locality.—J. D. Evans, Islington, York Co.

There have been many trees planted in this district, many more than have been cared for. Some have the idea, after a tree is planted that is all that is needed, and should make a fine tree without further care, hence so many failures. —A. G. Hull, St. Catharines, Lincoln Co,

The devastation of our forests have rendered it necessary to import European trees, of which I believe the Norway spruce to be the best for shelter, being evergreen. Orchards unsheltered have their fruit blown from the trees untimely, and in time the trees become unfruitful and their growth stunted. I firmly believe the cause of many failures is the planting of trees that are too old. I have planted successfully maple, poplar and spruce.—Wm. Vair, Barrie, Simcoe County.

I think the greatest example of the benefits of protection from heavy winds that I know of, is the notorious fact that along the base of the Niagara escarpment, frost is almost invariably three weeks at least later in doing damage to fruit in the autumn than it is one hundred rods even from the base. It cannot be said therefore that frost is kept off entirely by the wind off the lake, though of course in the winter and spring it is chiefly the proximity of Lake Ontario on the north that makes fruit growing here so successful. In a lesser degree therefore I should say wind-breaks would prevent in a measure the early autumn frosts, provided they are not on the side nearest the water, which is the greatest safeguard at all seasons. It is little use urging the planting of forest trees upon the majority of men until it can be shown to be directly profitable in their own generation, though there may be here and their a man public spirited and far-seeing enough to plant them. In this township of Saltfleet, though a bonus of twenty cents per tree is paid for each tree planted on the roadside, and no cattle or stock of any kind is allowed to run at large unherded, still very few comparatively have planted. I have long urged the importance of the subject. The benefits of wind-breaks on the south and west side of every ten acre field to the crop of winter wheat or clover in causing the snow to lie evenly over the field would soon repay the loss of tillable land. One row of trees would in a few years answer instead of posts, to which wires could be attached for a fence. A row of hard maples would pay well in the crop of delicious syrup and maple sugar which they would produce in twenty years from planting, chestnuts on suitable soil will pay as well as any fruit, and moreover one row might be a row of apple trees. It can easily be demonstrated that a direct source of revenue could be derived from such strips, which I would plant four rods in width, irrespective of the indirect gains previously mentioned.

Every farmer knows that on the lee side of every fence immense snow drifts slowly melting in the spring, often keeps him a week or perhaps two weeks off the land, when the remainder of the field is dry, involving often a crop five or ten bushels per acre less than if sowed earlier. With heavy wind-breaks, the snow would lie evenly over the land and disappear evenly.

It may be urged that tall trees would keep the land shaded and wet on the north side. This could be obviated by planting the very tall growing trees on south side of the belt, gradually decreasing the height, so that the row nearest the north of the belt would be say a row of apple trees, that if it shaded the ground for a short distance would return a profit for a narrow strip left unsown to be cultivated later, as all orchard trees should be, and continuously through the season. A farm surrounded and adorned by rows of evergreens, is a charming sight; some may be seen in Burford township. I am sure such farms would sell

to a man of taste for ten dollars per acre more than one unadorned, though the owner of such a farm seldom needs or wishes to sell.—E. D. SMITH, Winona, Wentworth Co.

I have noticed with the gradual destruction of the forests year by year, a corresponding increase of drouths, and while we may even now have as great a rainfall from year to year as in the days when our forests were in their prime, yet the exposure of such a large proportion of the country's surface to the direct rays of the sun, accompanied by an unobstructed motion of the air, soon absorbs the moisture given by any rain, and in such case of rapid evaporation, the soil becomes hardened and cracks open, making the matter all the worse. Anyone engaged in using or running dry kilns of any kind, whether in making brick, drying lumber or evaporating fruits, will soon learn the necessity of a high temperature with the application of a rapid draft of dry air, in order to rapidly extract the water, and carry off the same. Sturtevant gives the following table as correct, and I have found in my experience in evaporating apples, that he is right in his theory, but the amount of water given is too high. Assuming that 1 cubic foot of air at 32° Fah. or freezing point, will carry ¼ of an ounce of water, he claims that with a rise of 27° or at 59 Fah. 1 cubic foot will carry double that or ½ oz., and with every 27° additional in the rise of temperature, the atmosphere will absorb and carry off double the amount of water, therefore with a temperature of 194, being about the average temperature at which evaporators are usually run, each cubic foot will carry 16 ounces of water. Then if the draft of air is by any means increased, the absorption is increased in proportion. Now I have noticed that this is precisely the state of things in reference to the present action of the sun's heat and the unobstructed breezes and high winds, upon the surface of our country as it is now denuded of its forests. The hotter the weather, and the greater the velocity of the wind at the same time, the more rapid will be the absorption of moisture from the soil, and the more severe will be our drouths, and the more destructive will be our rains, accompanied by more frequent winds and cyclones. I believe the most practical outlay in the way of tree-planting, would be in planting wind-breaks of evergreens, and allowing them to grow as tall as possible, thus diminishing the absorbing action of the wind by decreasing its speed, and at the same time beautifying the country and making it more comfortable in winter as well as summer.—JOSEPH TWEDDLE, Stony Creek, Wentworth Co.

Norway spruce and Austrian pine are about the best kind of trees for wind-breaks. We know of some very fine Norway spruce windbreaks around nursery grounds in New York State. The trees are planted close together, almost like in hedge row, and stand now from thirty to forty feet high, making a complete shelter from all heavy winds.—SMITH & VAN DUSER, Winona, Wentworth Co.

It is now very evident that good timber of any kind will soon be very scarce and dear, and unless something is done to prevent deforestry of the country, we will soon be under the expensive necessity of importing lumber. For re-foresting burnt off areas, I believe there is no tree so well adapted as the white pine. The European larch, Scotch pine, and Austrian pine, grow quickly into useful timber, but in that respect they are not at all equal to the white pine. If I were to plant out a forest with a view of obtaining remunerative returns, I would plant it all of white pine. I would plant thickly and thin out as they grew large. For shelter belts I should prefer the Norway spruce, white spruce and Austrian pine.—D. NICOL, Kingston.

In the vicinity of Drummondville, Ont., there have been a great many trees (principally Norway spruce) planted as a protection to orchards and small fruits with much benefit. But would not recommend either too close or too wide a

belt of spruce around an orchard, or *too close to* the orchard, as the breaking off of all the wind tends to increase the codling moth. I would recommend the European larch as the best and most rapid grower of any.—E. MORRIS, Fonthill, Welland.

I would say, if the ground is stiff clay, for young trees I take some coarse sand, and work the sand and soil together and work it around the young roots of the tree; and if you plant one tree with sand and another without sand, you will see that the tree planted with sand will outgrow the other in two years. You will find the same with all kinds of trees and shrubs.—W. M. MORRIS, Seaforth, Huron Co.

We might mention our experience with a small peach orchard. During the past ten years we have had about one hundred trees planted where they are sheltered from the north and west winds by a belt of oak and birch timber. This orchard has repeatedly borne a good crop during seasons when others in the immediate vicinity, but without a shelter, had no fruit whatever.—WEBSTER BROS., Hamilton.

GENERAL CONDITION OF THE NORTH AMERICAN FORESTS.

Translated from the German by H. Von Lorenz

Dr. Mayr, from whose late publication, "The Forests of North America," this article is taken, writes it as an official report for the benefit of Germany. It was written in Japan, where he is now professor of sylviculture, at Tokio. It is very interesting to Canadians, as the view of an educated foreigner. He visited America twice for the purpose:—

When the first Europeans landed on the new continent, they found before them one immense forest.

A vast virgin forest extended at that time from the south point of Florida to the coast of Labrador, through thirty-five degrees of latitude, and from the coast of the Atlantic Ocean to the border of the prairie, that means fully twenty degrees of longitude. If you count the average length of this forest at twenty-five degrees of latitude and the average breadth at twenty degrees of longitude, the forest originally covered the tenfold area of the German Empire; how much of this exists at the present time is hard even to guess.

The non-observant person who travels through North America generally has the impression that the forests are in their original state, that with the exception of a few States forests so prevail that farms only form a small factor of the whole; but the expert would realize immediately that hardly one-third of those woods which his ancestors found 400 years ago now deserves the name of "forest." Two thirds are of later growth, or composed of the remnants of their kind, left only on account of their lack of value. The original virgin forests flourished everywhere, in the mountains as well as in the plains. No rock in the Alleghany Mountains was too steep to prevent single trees from growing in amongst the boulders; the soil of none of the plains was too poor or unproductive, but that large forests would grow in the course of centuries. The swamps alone were the only portions of the country not covered with trees. This fact deserves to be recorded for the information of future generations: for already, in many portions of the country, the forests have been so annihilated that one would scarcely believe that those parts were once covered by magnificent woods.

(The reader will observe that at this point Dr. Mayr indulges in prophesy and takes up the idea which has before been stated on this side the Atlantic, that a large part of the west by planting will ultimately become forested, while the east and southern sea coast, once forested, will fail to preserve any sufficient amount.)

The person travelling through the states surrounding the Gulf of Mexico in fifty years from to-day would not believe that those deserts, covered for miles and miles with snow-white sand, once bore the most magnificent pine trees of the world. In fifty years no man will think it possible that those many bare and sandy rocky slopes of the Alleghanies once were covered with the finest oak, maple, elm and other trees.

In fifty years it will sound almost fabulous that those far-stretching swamps of the southern Wisconsin and Michigan were at one time covered with timbers of the finest varieties and skirted by the finest white pines instead of the poor shrubbery of that day.

Now, let us go farther west and skip again fifty years. What splendid woods will flourish there, owing their existence to the hands of men, on plains once considered deserts incapable of producing anything. People will have planted those woods realizing their great advantages and benefits. Look then at the prosperity of these western settlers who will have propagated new forests in contrast with many of those in the east, who, by fire and axe, transformed their beautiful forests into desolate places and even deserts. The great mistake of the western settlers is likely to consist in mixing too many inferior kinds with the better grades, with the view of producing timber of more use for purposes of fuel than of manufacture. The European woods planted by them will probably not realize their anticipation.

Let us go even farther west. In fifty years it will be almost impossible to comprehend that the beautiful and fertile California, the fruit garden of the Union, once was largely inferior prairie; we could even doubt to be in America, for forests of Australian eucalyptus and acacias grow everywhere; the once hot and barren prairie is transformed in a subtropical garden with all the advantages of this splendid climate.

The doctor then reviews the present:—

Immense sums have been spent in the construction of dams to prevent the streams from the mountains from overflowing the lands during the heavy rains.

Large amounts have also been expended in artificial irrigation after the natural supply of water has ceased from the destruction of the forests in the mountainous districts: the latter has been the case all through the United States. There are some more facts which the observant traveller in America can find every day.

A mountain devoid of trees having on the slopes among the big boulders portions of soil covered with grass and lying on the surface of the rocks, stumps and roots of trees interwoven like a spider's web. What vast quantities of the finest soil are washed down by the rain, owing to the senseless destruction of the forests. One year has destroyed more than centuries can replace. The rain previously partly absorbed by the forests descending in small streams, now rushes down in torrents more annihilating and destroying than fertilizing. Many of the beautiful mountains and valleys of the Alleghanies, Adirondacks, and even the western mountains, will soon be in the same condition. A good many prominent men have already tried to warn and even to interfere, but people declared them dreamers and boasted of the everlasting riches of their forests.

The loudest noise, of course, was made by those who had the largest interest in keeping the nation in blindness concerning the condition of the forests and of their future.

The nation even does not know its own absolute property, many Government and States-lands you find officially described as covered with dense forests; but the truth is, since a long time the best of it is stolen, burnt and the rest left to decay. And to make it worse, fire destroys every year large portions of the younger growth.

The state of New York, to give an instance, according to the report of the forestry commission, Albany, 1885, possesses, or rather claims to possess in the Adirondack 312,400 ha. (the hectare is two and one-half acres) genuine forest. The commission sent out to investigate the condition of these mountain forests could not even fix the boundaries of the State's property, so much of it was claimed by private owners.

In a few districts the State owns widely extended woods, but mostly they are small parcels, hardly ever exceeding 100 ha. Nothing is done by the State of New York to protect and save its forests. (Efforts, however, are being made to save portions of the Adirondacks.) It even does not know their boundaries. Numerous settlers make a fair living by robbing the States forests, and help, by fire and axe, the government to *improve* the woodlands, that is to annihilate forest and forest soil.

Of course, the prospects of the national property are exceedingly dull since the nation does not take care of itself; people often regard and talk about States property as if it had no owner at all, while every citizen is fully entitled to his legal share of it.

You will find in the Union, that when you leave the capital and go west, the ideas about right often decrease in the same way as your distance from said point is increasing.

According to the annual record of the year 1883, the Union Government some times had allowed the poorest settlers and miners in Colorado to take the timber for their domestic use from the government forests. If the law was a liberal one, the interpretation of the settlers was even more so. Government officials, arriving there a few years afterwards, found in the bed of one of the mountain streams half a million of ties, nominally appropriated for domestic use, but really intended for building a railroad.

In Fernow's records I read that the government expends for the protection of the forests annually millions of marks; but what do they amount to if they disappear somewhere without giving the forests the least benefit.

To do credit to the present government we must add, that it has tried to awake public interest concerning government lands and even recovered for the nation 40,000,000 ha. of land illegally held by private individuals and corporations.

In the mountains and in lands where the soil is too poor for continual agricultural purposes, on borders of rivers as long as there is no artificial irrigation, the preservation of the forest is a natural necessity for the protection of the lower lands.

It is not my opinion that the government ought to keep for its own property timber-lands suitable for farming purposes; but it ought to consecrate all its means and powers where the common interest and future is at stake.

In consequence of the immense riches and the great industry of the enterprising people, the government always has a large surplus in the treasury. My opinion is (it may sound ridiculous to the American), the best way to refund part of this money to the nation would be by buying from private individuals

those mountain forests now held by them, and destined to an early annihilation, and to protect them by simple measures, perhaps after the system used in India, against fires, to control them by a government official, and a certain number of constables against thieves, hunters and tourists. The government, and only the government, can afford the monetary loss of interest, but it will be paid ten-fold after the lapse of a few decades.

The consequences of the annihilation of the forests in the mountains are generally known. The best instances may be found in the old world. The illusion that in America everything is different is nonsense. The laws of nature are the same everywhere; the soil may be better here, the climate more favorable for the growth of timber; but the results will be the same; they can be delayed, never changed.

If this mismanagement continues the way it is going on now, it would not take the eye of a prophet to foresee the final condition of many now beautiful and flourishing portions of the country. They will soon, in regard to their barrenness and desolate aspect, rival the southern districts of the Tyrol, South France and Spain.

The government possesses numerous forests in the mountain regions, but it tries to get rid of them as soon as possible and often at miserable prices. The loss of those forests is identical with its ruin. You may say the State helps, while it would be its duty and policy to prevent the shameless destruction of the country, which enriches a few individuals at the cost of the multitude.

Personal liberty and free use of property are the fundamental ideas of the constitution of the union—laws too ideal for a good many of its representatives; to respect the personal freedom of a single individual without conscience, means to trample under foot the personal liberty of thousands better than him.

This ought to justify the claim of the nation that the forests in the mountains, never mind who owns them, must be preserved. To allow hundreds the full free use of their rights and properties, the individual must be restrained. It is more than comical to hear the American talk about the European governments whose despotism even does not respect private property.

The law in Europe for the protection of forests on mountains, extremely poor lands or borders of rivers is only made for people without knowledge or conscience; nearly all the owners of mountain forests do not need the law; they know too well themselves that the preservation of the woods is identical with the increase of the value of their property.

When the constitution fails to force the individual to preserve the forests, the government ought to have the power to expropriate it for itself for a fair sum and take the management of the forests into its own hands. What part of said forests is sold or given away at the present time, will in a hundred years from to-day be bought by the government for immense sums; for the private person never gives things away as the government has done. And the incredible amount which the French government spends every year for improving foolishly destroyed forests, go to prove what a hard and expensive task it is.

As already mentioned it is a positive necessity to preserve the forest at places where the soil is mere sand or inclined to become swampy. This is the case in many parts of the country, especially in the south and south-east, where around the Gulf of Mexico and along the Atlantic Ocean we find thousands of square miles of this kind of soil. Large forests of the finest pines are destroyed every year and the new growth is often annihilated by fire. Already we can see the dry white sand looking through the thin grass. With the last tree and its shade even the latter will disappear. The heavy fertilizing rains even in those

countries cannot alter this state of things. Nothing is done by the government to prevent this. Maybe there exist laws concerning the preservation of the forest; but laws not enforced and laughed at by everybody are worse than no laws at all.

Wisconsin, Michigan and Minnesota are rich in valuable forests of pine and maple; many hundred square miles of swamps are covered with white cedar (*Thuja occidentalis*), spruce and balsam. These trees owe their existence to the heavy sphagnum moss that grows there; it offers room enough for the roots and separates them from the stagnant waters.

Different kinds of shrubberies grow on it in great variety. Fell those trees and soon the moss will disappear; the sunlight and the increasing warmth combined with the dryer air will soon replace it by flowers of another class. The soil is getting worse every day and soon will be almost unfit for cultivation. Already many citizens can tell about swamps, which at the present time nobody is able to pass, but which they remember being covered with dense forest.

The traveller from Europe is always surprised by the exceedingly long wooden railroad bridges over comparatively small rivers. In America almost all the rivers have their own free movement, their beds are one year here, the next year there. From their looks it is easy to judge the condition of the higher lands, where they come from.

Rivers, which always carry dirty water and, during the heavy rains, are swollen to considerable extent and take everywhere parts of lands away, come from a country where there is no forest at all or where by negligence the woods are almost annihilated. Such rivers we find in Ceylon, where the English, in order to extend their coffee, tea, and cinchona plantations, commenced with the destruction of the forests in the mountains; the same we see in Japan, Spain and North Italy. After every heavy rain people live in constant fear of inundations. The American rivers are partly in this state. It is an infallible proof that a change must have taken place, if a stream, whose sides are lined by trees hundreds of years old, commences during every long rain to undermine its banks and finally washes them with the trees away.

Instances like this speak better than any book written concerning this subject. The destruction of the forests in the Adirondacks by fire, and the fruitless trials to use these mountains for agricultural purposes, caused quite a change in the depth of the Hudson River, which even during the dry times received a considerable supply of water from the dense forests of the mountains. Peekskill used to be a water station of the N. Y. Central and Hudson R. R. R., but had to be abandoned, because during the dry season the salt water of the ocean came up as far as Tivoli; and salt water cannot be used for the filling of the locomotive boilers.

Many look indifferently at the devastation of the forests, believing themselves to be able to replace its beneficial effects by a great scheme. Their idea is to build enormous reservoirs, which could be filled during the rains with water and the contents of which could be used for the irrigation of the cultivated lands. But the filling of such a reservoir would need an immense area and we will hope the rains might never be too heavy, for the collapse of such a reservoir might be more fatal than a waterspout.

It seems better to me instead of investing immense sums in erection and keeping of those reservoirs, to use the money for buying up and preserving the mountain forests, where it would show that these natural reservoirs pay well, while the artificial ones only would absorb large sums every year. In spite of the terrible destruction of the forests in America, I believe at the present time it would take only very little help to bring a sufficient quantity of them back to their old condition, if it were only possible to keep the fire away from it.

Danger of fire in forests in the cultivated countries of Europe has become very rare; in case of it everybody would hasten to extinguish it as soon as possible. [Listen Americans! The government has there even a right to compel its citizens to help]. In India, owing to the energetic measures of the government and to its steady watchfulness, the number of forest fires is rapidly decreasing annually, while the younger growth is prospering. In the smaller country, in Japan, fires hardly ever occur, and the intelligent industrious people are busily engaged in building up their destroyed forests. In North America forest fires occur every day, and people generally look at them with indifference; what else could you expect from the descendants of a nation which has no forests, and so of course does not know how to appreciate their benefits.

It is not a very nice but an instructive chapter to study the causes of these fires; we can see what people are able to do in the country of the greatest personal liberty, whose laws for protection of forests, if they exist, are only humbug.

From the records of Prof. Sargent we see that in the single year 1879–1880, 480,960 ha. of forests, valued at about 100 million marks [$25,000,000], were annihilated by fire. Incendiarism was mostly caused by timber thieves, who set the forest on fire to efface the traces of their thefts.

Regarding the Yellowstone Park, the wonderland and declared national property of the Union, Winser, in his "Guide for Travellers" says: It is greatly to be deplored, that by the carelessness of camping visitors (mostly educated men) large parts of the finest forests were burned down. This fire broke out because the simplest care concerning camp-fires was neglected; therefore travellers in the park are now compelled to ride through miles of black stumps instead of under the refreshing shades of gigantic trees. People of refinement and means, as they seem to have been, ought to have been held responsible by law for the damages done by their carelessness; the amount could easily be fixed according to the value of the lost timber. The loss of the newer growth could not be ascertained, and besides, the forests suffer because capitalists will not invest their money as long as there is no government protection to secure them.

THE FOREST AS A NATIONAL RESOURCE.*

By Prof. Fernow, Washington.

In a paper which I read before this section last year, I classified the natural resources which serve the material progress of nations with reference to the position which the nation as a whole, the government, ought to take towards them. I endeavored to show more specially, that the most prominent functions of government in regard to these resources are or ought to be providential in their nature; that the State, in its very conception being an institution for the purpose of insuring not only our present but future and continued welfare of the community, must have an interest in the permanence and proper utilization of natural resources, upon which this welfare rests.

To restate briefly the classification, we found two principal classes, namely:

(*a*) Resources which yield directly the necessaries or conveniences of life and form objects of industrial activity;

(*b*) Resources which serve indirectly the comforts of society, industry and progress of civilization, and do not form objects of industrial activity.

* Read at the meeting of the American Forestry Association, Quebec, 1890.

It is the former class of resources mainly, which, if left to individual control, are most apt to deteriorate and in regard to which the interests of the individual and the community are most frequently at variance, and it is most difficult to find the proper balance between permissible freedom or individual disposal and necessary restriction by communal interest.

In regard to the second class of resources, such as air, light, waterways, etc., the providential function of the State is much better understood and conceded, although even here the *laissez-faire* idiosynscrasists would give to individualism the widest latitude.

The resources which form objects on industrial activity were again divided, with reference to their continuity, into

1. Resources exhaustible and not restorable;
2. Resources restorable, but liable to deterioration under increased activity:
3. Resources restorable and apt to yield increased returns to increased activity.

To intelligently define the position which the State should take in the matter of protecting its resources against too rapid exhaustion or unnecessary deterioration, we must keep always in view the implied interest of the State in the future, and understand the nature of the resource, with reference to its future.

In this paper it is proposed to define the proper position of the State towards its forest resources, and for this purpose to investigate the nature of these resources.

It is questionable whether the forest itself may be considered a resource. It is in reality a crop, a product of the soil; and the soil with its fertility is the resource proper, which can be turned to this use or to any other.

The forest primeval is nothing but a function of the fertility of the soil. As soon as the soil is not needed for other purposes more useful, this product of the soil may be valuable, and with means of transportation to a distant market, or as far as a home market exists, it may constitute a resource. As soon as with increasing population and hence demand for food-producing areas the occupation of the soil by wood-growth is a hindrance to its agricultural use, and by this antagonism the value of the forest resource is apt to depreciate in proportion to the need for food-areas, the wood product may become the opposite of valuable by necessitating its removal without a market for its disposal; hence the burning log-pile of the pioneer settler, fed by the most valuable timbers. The need for cleared lands tends to diminish the occupation of the soil by wood-growth, until at last an equilibrium results, when the needs for food areas are satisfied and the requirements for wood material make a reservation of soil for forest growth desirable. When at last the stores of the virgin forest are exhausted and it becomes necessary to apply human ingenuity and management to the production of desirable quantities and qualities of wood material on a confined area, a new industry, forestry or forest management, arises, which exercises itself, like agriculture, upon the production of values from the soil.

So long, then, as the virgin forest is not placed under management, its stores represent the resource itself, and, being worked somewhat similarly to the mines, it is an exhaustible resource, differing, however, from such resources as the mines in its capacity of being reproducible. As long as the activity in working the forests is simply directed towards the extraction of the valuable material which nature has stored up for centuries, every increase in this activity means corresponding depreciation and depletion of the resource. As soon as the forest becomes an object of scientific management and artificial forest planting is resorted to, it is the soil and its fertility which is the actual resource, the tree-growth being a product of the same; and then we may range it under the third

class of resources, which yield increased returns to an intelligent increased activity, this activity being exercised not in the direction of utilization but of reproduction.

While the virgin forest is worked, as it is in the United States and Canada, simply taking out the material wanted without any regard to its continuance, it represents, as has been stated, almost like a mine, an exhaustible resource; for although reproduction is possible, and in reality occurs, under the regardless methods of utilization not only is the reproduction very partial, but where the better kinds of timber are culled the reproduction can only be of inferior kinds, and the quality of the resource is therefore reduced.

In addition to the irrational method of utilization, which tends to deteriorate the resource, the disastrous fires which overrun the forest areas of the United States annually destroy the accumulated leaf-mould of centuries, thus reducing the fertility, killing the young growth, and, in the end, especially on the hillsides and mountain slopes where, by the baring of the ground the beating rains are allowed to wash off the soil, reforestation is made almost impossible, so that in the end the resource—whether the growth be considered as such or only the soil and its fertility, is exhausted.

But besides furnishing directly wood and incidentally other valuable products, which either as raw material or in manufactured form supply a large number of human wants, the forest at the same time by its functions in the circulation of air and water exercises an influence upon cultural, climatic and sanitary conditions, which classes it to that extent with those resources, which, like air and water itself, are, though indirectly yet most indispensably connected with material and cultural progress, and are of the greatest interest to the nation; so that in considering the position of the State towards forests and forestry, we will have to keep in view these two aspects of the forest—its material value and its cultural function.

The value of any material resource is measured, in the first place, by its comparative abundance. Other factors which enter into the valuation are the demand for it, the ease with which it can be obtained and brought to centers of consumption, the possibility and ease of reproduction; its necessity for our present civilization or more or less easy replacement by other materials may also influence the valuation.

I.—The Forest as a Producer of Material.

As regards the natural reproduction and the consequent abundance of the virgin forest, it may be said that the whole earth is a potential forest. That is to say, with the exception of a comparatively small area—in elevation above timber-line in north and southward distribution beyond eternal frost line, in continental distribution, within rainless deserts and soil-less rocks—tree growth would ultimately prevail on the entire land surface, provided the interference of animal or human life were checked.

This interference, however, has reduced the forest area in all parts of the world. It has, no doubt, been largely instrumental in creating the vast prairie regions and treeless plains which are found on every continent, and which, but for the continued interference, would gradually, at least within geologic ages, reclothe themselves with tree-growth, with few exceptions.

If originally the land area represented an almost uninterrupted forest area, animal and human activity has changed the face of the earth considerably. This change has taken place partly to satisfy the needs of increasing masses of population for food areas, partly without such need by reckless destruction; so

that density of population cannot alone account for present distribution of forest areas, but historical development of the people, their progress in civilization or relapse into comparative barbarism and natural conditions of the countries have had a bearing.

Thus, while Norway and Sweden, with scanty population showed, until recently, when an active export business of wood reduced their forest areas, a large proportion of woodland; in Spain and Greece, although the population diminished with the decline of culture, reforestation has not increased in proportion, and we find small forest area together with scanty population. In Germany economic development and early recognition of the value of the resource and necessity for its rational use and management has preserved a proportionately large area.

In the United States the proportion of forest area to population since its settlement by European races has rapidly declined. Here almost one-half of the continent had by adverse climatic conditions, supplemented probably by the destructive agencies of beast and man of earlier civilization, been deprived of its tree-cover.

To such an extent has human activity reduced forest areas that in those countries where it has been most active the proportions have dwindled down to even three per cent. of the land area.

Taking Europe altogether, not much over thirty per cent. or 2½ acres per capita remains in forest, and in the United States the forest area represents probably not more than twenty-five per cent. or seven acres per capita of population.

The demand for forest products is perhaps nowhere greater than in the United States, probably not less than six to eight times as large as in Europe.

In Germany, with a population at least twelve times as dense as the United States—and hence the need of strict economy with all exhaustible resources—the annual consumption per capita may be set at round 45 cubic feet.

The annual production of the well-managed forest areas of Germany is found to average 55 cubic feet of wood per acre; there should, therefore, be 0.8 acres per capita, which very nearly is the case, (0.79 acres), the small deficiency being made up by imports, the excess of imports over exports being about 60 million cubic feet. In the United States we use simply the accumulation of material through centuries in the virgin forest, the second growth furnishing but a small part, and of management for reproduction or increased yield there is as yet no sign.

In the virgin forest the product per acre varies to such an extent that it would be impossible to make even a reasonable guess as to available supplies; some of the pine forests of the South may cut no more than 200 or 300 cubic feet, while some areas on the Pacific Coast may yield 15 to 20,000 feet and more. If we apply the experience of Germany as to possible annual wood production per acre, we will find that our present forest area, if properly stocked and well managed, would suffice to furnish our present demands of 20 to 25 billion cubic feet. But we know that the premises do not exist. The manner of utilizing the product has also much to do in calculating the efficiency of the producing area.

While, for instance, in the forest management of various German States the percentage of entire wood material may be said to be utilized in some shape or other; in the United States a very large part is not utilized at all and left in the woods; and while in the German forests from 40 to 65 per cent. appears as building timber, we learn that less than 30 per cent. is the yield from the red woods of the Pacific Coast; and, take it all through, it is doubtful whether more than 25 per cent. of the actual wood in a tree is utilized in the United States

In comparing supplies and demand, it would be a mistake to place reliance on calculations of the wood accretion upon the areas under forest cover, for it is quality of material that is demanded, and not mere quantity. Not only do areas differ in their wood-producing capacities according to climatic and soil conditions, but their composition as to kinds of trees and quality of timber determines their value. Thus, while the area of forest in the United States probably does not diminish now at as rapid a rate as it used to, the value of the remaining area is very rapidly depreciated, not only by removing the accumulated supplies, but by culling the best and leaving the inferior material, by neglecting to give attention to the reproduction of the better kinds, or even by recurring fires destroying the capacity for such reproduction.

The forest furnishes firewood, building timber and raw material for the arts.

In the United States more than three-fifths of the population uses wood exclusively for fuel, and to show the value and appreciation of this class of fuel in comparison with substitutes, it may be mentioned that in Germany during 75 years from the beginning of the century the price of coal has constantly sunk, while that of charcoal has constantly increased; showing that the substitute not only did not displace, but did not even affect the valuation of wood as fuel.

The bulkiness of the material when compared with its heating power is objectionable, but other qualities make it desirable.

For building purposes, although stone, iron and other materials are used more and more, the ease of shaping wood material, the rapidity with which it can be handled, and various other qualities, will insure the use of wood for that purpose for all time. In the arts the same qualities make the use of wood desirable, and while substitutes in many cases are even preferable, in others the necessity for using them would entail grave inconveniences. The value of sawed wood material in the United States is calculated as round one billion dollars, representing an enormous amount of material. One of the drawbacks of the material is that it is comparatively bulky, and hence it is desirable not to have to transport it too great distances, especially overland, but to produce it not too distant from the centres of consumption. In the United States, with many thousands of acres of virgin timber to draw upon, the price for lumber represents hardly more than the expense of getting it out and transporting it, the material itself representing not as yet any cost of production.

II. The Forest as a Condition of Culture.

The value of forest areas in influencing climatic soil and water conditions has been generally recognized only during the last 100 years.

While there exists, no doubt, under given conditions, a relation between forest-cover and climate, all generalizations in this respect must be taken with caution, until more proof and exact data is brought by scientific methods. Climatic conditions are, in the first place, due to cosmic and terrestrial influences. Of the terrestrial influences we know mountain ranges and water surfaces to be powerful. There is not only reason to believe, and some definite measurements sustain the belief, that as far as forest-cover interferes with insulation of the earth and the movement of air currents it renders the climatic conditions within its own borders different from what they would be were the forest-cover removed. The doubt can exist only as to whether and to what extent this difference can make itself felt outside of the forest. The claims are, that a forest-cover tempers like a water surface, and, to some extent, intercepts or reduces the

force of hot and cold winds with all the consequence of such action; further, that it influences, if not the amount yet in local and temporal distribution, the precipitation of rain and snow, besides exerting various minor influences.

Whatever the truth—and neither the claimants nor the objectors to forest climatic influences have brought incontrovertible proof—it is evident that the extent, composition and location of the forest must have much significance in the matter, and also that the relation of the country towards other climatic influences must either increase or decrease the significance of this factor as a climatic element. In England, under powerful terrestrial tempering influences, any forest influence would be inappreciable by comparison; poor thirsty Spain, on the contrary, deprived by its situation of the effects of modifying ocean currents, might possibly modify the extremes of temperature under which it suffers by extensive forest areas, which it lacks. While our own North Pacific coast, if stripped of her wonderful forest wealth, would not be appreciably deprived of its abundant rainfall brought by the ocean currents; properly disposed timber belts in our arid and sub-arid interior might, if not increase precipitation, at least check the excessive evaporation under which it suffers from the incessant and unchecked winds.

The cool and humid forest-cover situated on the slope toward the moisture-bearing winds may unnecessarily increase the tendency to condensation to which the currents by their mere descent are subject, while if situated on the leeward side might recuperate itself from the moist forest air, the drained current coming over the mountain. Here, by obstructing the gentle south wind, it may keep a valley longer in the rigors of winter; there, by cutting off the cooling breezes, it may make less bearable the heat of summer. So that an objectionable influence may be shown as well as a favorable one, according to local conditions.

With more assurance can we speak of the influence which the forest-cover exerts upon the soil and water conditions. Again, it is the location with reference to the configuration and geologic formation which imparts the value to the forest, and hence, again, generalization is not permissible. Here, where an excess of moisture due to subsoil conditions used to be removed by the process of vegetation, deforestation induces the formation of marshes, and in consequence unfavorable sanitary influences on the surronndings may result; there, under different conditions, where evaporation had been checked by the forest, its removal reduces the humidity of the soil and the size and continuity of springs. Remove it from the shifting sands of the coast and the formation of sand dunes encroaching on the agricultural lands is induced; burn the forest floor on the sandy gulf coast plains and you destroy its fertility; burn the litter that accumulates under the forest-cover on the mountain slopes and the waters will run riot and gully the ground; torrents, landslides, snowslides, avalanches are induced, washouts filling the valley and the river with debris, causing stow-waters and increasing, if not producing, floods.

The significance then of the forest under given conditions as an important factor in the general conditions of a country cannot be denied.

Lastly, when we consider that forest-growth is capable of producing values on ground which cannot be utilized profitably in any other way, its significance as a national resource may be considered sufficiently established by this brief exhibit. This latter capacity of forest-growth is of the more significance when we look over the world and count the waste places which man has produced. There are in France and Germany alone over 500 square miles of sand dunes, which France has shown by a reforestation of nearly 300 square miles can be profitably utilized. In Austria the waste places capable of reforesta-

tion are nearly 2,000 square miles; in Italy, 1,500; in France, nearly 10,000 square miles; in Great Britain and Ireland, over 11 per cent.; in Greece, over 15 per cent. of the area is waste, while in Germany only 2.7 per cent.

Hence, of late, all these governments strive to bring these vast unproductive areas into useful occupancy. Prussia spends $250,000 yearly in that direction. France has spent round $30,000,000 within the last 25 years in recuperating devasted forest areas, and even Prussia has, since 1843, reclothed over 50,000 acres of her steppe.

We have seen that, as a meteorological and cultural element, the location of the forest is all-important, and its most pronounced value as such element is found on the mountain-sides, on shifting sands and on the poorest soil, in general; that is to say those locations where the material product must be necessarily inferior to that of better situations and where, therefore, forestry is least profitable. They are the very areas where private activity can find satisfaction only, by reaping the natural crop. Yet here the danger from mis-management—that is a management in which no regard is taken of the simultaneous or immediate reproduction when the crop is harvested—must be the greatest, since the baring of the slopes and sand soils may mean destruction of fertility, not only of the bared but also of the adjoining areas, and increasing dangers from flood waters. Hence the interest of the community must be centered upon these forest areas.

It has been contended that the reproduction of forest-growth takes place of its own accord, and hence the interest of the State as far as material production is concerned, need be only of that general character which it has in all products and industries of the nation.

This contention, however, is erroneous if considered from an economical point of view. While culled and denuded areas do reproduce a wood-growth, this—in quality and especially in quantity per acre—is only in rare cases satisfactory and economical. The reckless squandering of material, the disregard to the condition of the area after being left by the lumberman, the practice of firing and thereby destroying the young growth as well as the fertility of the soil, are to a large extent detrimental to the reproduction of the resource, and experiences all over the world have shown that by such reckless policy recuperation can be rendered almost impossible.

As far as the production of material constitutes the forest as a resource, it is not tree-growth merely but quality of the growth that makes it valuable, just as as it is not the presence of iron but its sufficiency and quality in the ore, that makes the iron mine of value. The forest primeval contains much material which is of little or no value and large areas are required to produce small amounts of good timber, but in its reproduction it can be improved in value and yield, and that without anything but proper use and management.

From agricultural and horticultural products of the soil the forest distinguishes itself, in so far as the former in most cases are improvements upon the natural product in kind by means of human ingenuity and labor, while the natural product as it is found in the virgin forest satisfies the needs of man.

An important difference, too, and one which makes the use of the soil for forest growth as an economical element desirable, is, that while agricultural crops exhaust soils of their fertile elements, wood-growth does not rely on these to any extent, returns the larger amount of those utilized by the fall of leaves and branches, and improves thereby the soil for agricultural use.

The production of starch or sugar and albuminoids, which is the object of agriculture, takes place at the expense of the minerals in the soil which are carried off with the yearly crop, while forest products, being in the main cellulose and its derivatives, are formed at the expense of the inexhaustible carbon of

the atmosphere; and, although small quantities of the rarer minerals are also required, they are used over and over again for processes of assimilation from year to year, since the crop is not removed annually; and when it comes to harvesting, those parts of the tree which contain most of these minerals, the foliage and litter, remain on the ground. Thus a potato field for a medium crop requires three times as much of the rare phosphoric acid as a beech growth, five times as much as a spruce forest, and nine times the requirement of an acre of pine, while the consumption of potash is nine, thirteen and seventeen times, respectively, as great.

Hence the capacity of forest growth to utilize those soils which have been exhausted by agricultural use; and by the deep going roots mineral elements are raised to the surface and the soil improved.

Forest growth makes also less demand upon favorable topographical and climatic situation and will succeed where agriculture is not any more profitable or is impossible. Hence we may speak of absolute forest soils, that is soils which on account of their poverty, steep topography and climatic ill-favor are not fit for anything but forest-growth. The extent of what can be considered such absolute forest soil depends somewhat on the state of culture of the country. But it is a fact of highest national interest, that inferior soils and impracticable sites can be profitably utilized by forest-growth.

The main difference between forestry and other productive industries is the long period of production.

From the time of planting to the time of harvest many decades may pass and a century may not be too long. As long as it is not only wood but size and quality that is wanted, the factor of time is an important one, for it takes time to produce both size and quality. There are to be sure some uses for which timber may be grown in short rotations, as, for instance, where only firewood or posts or tanbark is wanted, but these uses are confined in extent.

When we consider not merely the virgin forest growth but a rational forest management, we find that it differs from agriculture in various financial aspects. In agriculture the soil alone is the standing capital or basis of production from which annually the interest is derived in the crop. In forestry the soil, plus a certain amount of growth, is the producing basis; only a part of the growing crop can be utilized annually, the rest, remaining for further accumulations, must be considered as part of the fixed capital.

This condition at least prevails where an annual revenue is to be derived from the business. It is of course possible to work for an intermittent revenue, waiting until the entire growth has reached the age for utilization and after harvest starting the new crop for another rotation; but this is not the most profitable way, and in the end it may be irrelevant financially, whether we conceive the growing crop partly as a capital or simply as an accumulation of revenue which we may not utilize.

To make a regulated forest management possible and profitable, to yield sufficient annual returns and to occupy the manager fully, a larger extent of territory is required than in agriculture: hence a larger standing capital is required. Agriculture, on the other hand, while needing comparatively small fixed capital, requires a comparatively larger running capital for expenses.

The existence of this stock in forest management places it in a particular position with reference to insurance and credit systems and the question of renting.

There are dangers threatening this stock which make forest property hazardous, more or less so according to locality, kind of timber, kind of management and moral sense of the population.

In the United States the danger from fire makes forestry one of the unsafest industries, and theft, it would appear, endangers it about as much. Insect ravages are the bane of the cultivated forests of Europe. But what they will be in the United States—the El dorado of vermin—when forest management has begun in earnest and hence the damage is felt more severely, is hardly conceivable.

The damage differs in value with the age of the growth. Fire may destroy the accumulated stock and crop of centuries; insects may destroy the saplings and grubs kill the young seedling growth. Windfalls or tornadoes may interfere with the regular system of management and may make a utilization of the stock necessary before its maturity, and thus occasion an overstocking of the market and decline of values.

While there are some dangers in agriculture, such as unfavorable weather, frosts, etc., that are not at all or to less extent felt in forestry, it is there only one year's crop that suffers, while here accumulated stores are exposed to hazard.

Since the main value of forest property lies in the accumulated stock, the soil being mostly of inferior value, and this stock is most exposed to depreciation and depredation, it does not form a fit object for credit, nor is it for the same reasons a desirable property to rent. The stock is all the year round exposed to the depredations of others, hence it requires a comparatively large expenditure for protection simply. The existence of this stock is also apt to prove dangerous as far as the proprietor himself is concerned, for it offers a constant temptation to utilize it at the expense of a rational management. Necessity, folly, or miscalculation may easily diminish it, while to place it again upon its proper value and quantity is difficult. Hence, if it is in the interest of the community to maintain stable conditions of property or where the forest partakes of the protective quality, more special care in regard to the laws regulating forest property seems necessary.

Roscher says:—

"Where the sale of property becomes jobbing, *i.e.*, where it is purchased not to be managed, but to be sold as soon as possible for the purpose of pocketing the difference in price, agriculture declines; but with forests such abuse of property in soil is much more dangerous on account of the characteristics of forest management, so that here slow change of proprietorship is proportionately much more advantageous."

The labor conditions in forest management are also worthy of note. Less labor is required here than in agriculture, since cropping and harvest recur only at the end of the long period of rotation, and the work of cultivation is connected mainly with harvest of material. Yet while few laborers are needed for their full time a large number is given work at a time when work in agricultural pursuits is slack.

According to statistics from German Government forests, agriculture employs from ten to even thirty times as much labor per acre as forestry; of the class of foremen, inspectors and similar occupations, one man is needed for every 200 or 300 acres in agriculture, while to one forest-guard 500 to 1,800, and to one district-manager 5,000 to 15,000 acres are calculated.

Altogether, the forest offers less employment to labor than agriculture; the factor of nature has more sway in it.

This may have been the reason, why everywhere, the idea of private ownership in this kind of property has developed slowly and less regard to property rights on it is paid.

Further differences between agriculture and forestry are found in the conditions of transportation and market. The bulkiness and heaviness of the material make transportation difficult and comparatively expensive, so that the cheaper grades, especially firewood, may not be profitable utilized.

It has been figured out by a good mathematician (Little) that if it were necessary to convey the amount of timber annually consumed in America from foreign ports, the entire sailing tonnage of the world would be required.

With undeveloped means of transportation, the market for wood is locally circumscribed, and hence unprofitable, an intensive utilization of the crop is precluded and the best management often impossible.

As to profitableness of the business, this depends on so many factors and conditions that it cannot be easily determined in a general way. Although the profits per acre resulting from European forest management seems exceedingly low, it must not be forgotten that this profit is derived from the poorest soils and with little expenditure of working capital.

In Prussia, for ten years, the revenue for the entire forest area of the Government was $1.92 per acre; in Saxony, $5.60; in the very profitable forest management of Zurich, $6.45; and on about 10,000,000 acres of German Government forest area, it averaged $2.89; while agricultural land brought, according to crops, buckwheat from $8.75 to $96.00 per acre tobacco, annual income.

Excepting, therefore, the poorer soil and special conditions and kinds of management (for instance, coppice management of short rotation for tanbark), agriculture is more profitable.

During the long time necessary for production in forestry, the conditions may change to such an extent that what appeared a profitable undertaking when begun, by change of circumstances becomes unprofitable. The difficulties in gauging and balancing supply and demand may also be considered to some extent less easily overcome. On the other hand, the possibility of delaying the harvest or cutting it earlier, according to market conditions, is an advantage in forestry. It is also possible to store the harvest without the detriment or expense which agricultural crops would entail.

Since forest management does not admit of rapid changes in plans and method, but requires a conservative and well-matured plan, not only should the forest manager command a considerable scientific education and knowledge, but he must have determined character which is capable of carrying through a policy upon which he has decided. Forest management implies and fosters stability and conservatism.

Having conceived the State as an association for the purpose of regulating and adjusting the differences of private and communal interests and rights, and having agreed that the preservation of favorable conditions for associated life, that the interest of the future community is as much the concern of the State as the protection of the present community; we may now more specifically define the position of the State with reference to the forest resources

The State must be guided by the principle, that as much latitude should be left to private activity and property rights as is compatible with the interests of the community, only when this activity and exercise of property right is demonstrably and directly harmful to communal interests is State interference called for. The individual must be guided by the rejoinder of the Roman law: "*Utere tuo ne alienum noceas.*"

With increasing population and more complex civilization, it is but natural that friction of contending interests should grow more pronounced and at more points; the present socialistic and communistic tendencies are therefore a natural development from the change of conditions in social life. As elbow-room gets

scarcer, elbows more frequently knock against each other and poke into the sides of neighbors. Hence more points are discovered where interests are at variance and the principle of preventing use of private rights to the detriment of the community needs to be more carefully enforced.

While with a large virgin forest-resource to draw upon and a small population, in the United States the government paid but little concern to the disposal of forest land and forest supplies; with a reduction of the latter and with increased requirements for the same, at least such ameliorative government action is called for as will aid private interest to utilize the resource more rationally and to better advantage for continued yield and future supplies.

Since, in most cases, the resource is capable of restoration, the widest latitude to private activity should be granted, and the office of the State should be mainly directed to remove hindrances to a full development of a rational forest management and offer such positive encouragement as can be given by proper protection, by fostering educational agencies, and in similar ways.

The State agencies which are employed to facilitate a knowledge of market conditions for agricultural crops and of crop areas are, perhaps, still more desirable in the case of forest areas and cut and demand, since it is more difficult to determine these.

As far as production of wood material is concerned—a profitable private industry—and the use of the soil in the most profitable manner, it may be presumed that private interest is identical with that of the community and will adjust itself accordingly; although this axiom can hardly be said to be recognized everywhere, as the poor mountain farms in the Adirondacks and elsewhere show.

It will, however, have been observed that the nature of forest property to forest management is such as to make large and continuous holdings desirable. Hence, if the State—the community at large—does not itself retain the ownership of its forest area, it should encourage the aggregation of large forest areas in the hands of strong capitalists, individuals or corporations.

The providential and restrictive function of the State is first called into play when, by the wrong treatment of a forest, a neighbour may be injured in the enjoyment of his own property, or when the cultural conditions of whole sections of country are endangered by the free exercise of property-rights on forest areas.

Whether such injury is done or is to be expected from such unrestricted exercise of private rights is often difficult to determine. Our knowledge of the relation of natural agencies is by no means so well established as to allow us definite prediction.

On the other hand, there are certain conditions under the consequences of forest destruction or forest devastation which are so well understood that State supervision in one shape or other can reasonably be claimed to be rational.

The effect of the deforestation on sand dunes has been experienced in Southern France and elsewhere to the fullest extent; just so the effect of mismanagement and deforestation of steep mountain sides, which demonstrably give rise to depauperization of whole districts and communities, by washing of the soil, irregular water flow and increased flood dangers. Climatic influences, with the exception of reducing the detrimental action of winds, are, perhaps, less easily demonstrated.

Such forest property, then, cannot be left to the absolute control of the private owner. Since, however, he should be compensated for the restriction which he has to suffer for the public welfare, and since the damage done or to be expected may not always be easily proved or estimated in its extent and amount, the only proper solution is State ownership of the property. And by State

ownership I do not mean to imply that the State or the General Government should necessarily be understood; I mean the community—be it State, county or township—the interests of which are at stake as against the private interest. To be sure as a rule, it will be found that the interest of several towns, counties, or even states are concerned in the control of private occupancy, and the strong, immutable, conservative central government will be found the best agency to control or own the mountain forests at least. Such ownership has the advantage of securing the object in view, while any restrictions of private rights are cumbersome and difficult to enforce.

Besides, as such forests are situated mainly on the thinner soils and rugged slopes of mountains, and, hence, are not only less profitably worked, but their reproduction is connected with difficulty and, if improperly treated, may become almost impossible; they form a questionable object for private industry in which financial gain is the leading principle.

The states which have recognized most fully the need of Government control of the forest resources are the English colonies—notably those of Australia and India—states from which we can learn a good deal in methods of internal improvements. They have done more than consider the protective function of the forest, they have recognized that the uncertainty and great fluctuation of supplies which, on account of the peculiar nature of forest property, must result from private forest management, is undesirable, and hence have reserved large areas and placed them under government management.

All other civilized governments, excepting those of the American continent, have more or less applied the principles here laid down. Canada, while disposing of its forest supplies to private individuals, does so under restrictions, and reserves at least the land; Germany, with 32.2 per cent. of state forest, 18.7 per cent. of communal forest, and 30 per cent. of the private forest under more or less state supervision, thus attempts to keep secure 65.5 per cent. of her forest area. Austria, France, Italy, Switzerland, all having state forests, also control the management of their protective forests, and the tendency everywhere is to enlarge the restrictive power of the State.

While here state-ownership and restriction of private rights is directed toward maintaining favorable forest conditions, the reforestation of devastated and treeless areas forms also a proper subject for the State.

Such State action of an ameliorative nature would be based upon the principle, that the State, the community, should act where the exertions of the single individual or even voluntary association of individuals is powerless, or private interest does not find sufficient inducement to attain an important economic object, where the communal interest is better subserved by the action of the State, when permanent institutions are to be created and managed independently of personal whim, and the State alone can insure permanence, continuity and the accomplishment of the object.

Hence the reforestation of the Western plains, for purposes of ameliorating cultural conditions, would be properly delegated to the State, especially as long as the State still controls the land necessary for such forest planting. Feeble attempts to encourage private enterprise in that direction have been made with little result, and much of the private energy expended upon the problem has been dead loss to the individual and to the nation, for the reason that only by concerted action on a large scale is successful reforestation in the arid regions to be expected.

The method of assisting private enterprise, in any other way than by creating opportunities, is the least commendable, creating as it does a paternalism

which would be a bane to the development of proper self-government, and which is widely different from the communal spirit which the writer has advocated in his propositions.

Summarizing the special considerations and peculiarities pertaining to forest growth and forestry which may influence State action, they can be briefly stated as follows:

1. By its location upon mountain slopes, sand dunes and otherwise, the forest may represent a climatic and cultural condition of paramount importance, which renders its material value a secondary consideration.

2. By mismanagement or neglect the capacity for reproduction may be injured to such an extent as to make reforestation impracticable, if not impos-s ble.

3. Forest growth improves instead of exhausting the fertility of the soil, and is capable of producing useful material on the poorest soils and sites.

4. By proper methods of utilization alone reproduction of the virgin forest superior in quality and yield can be effected.

5. Forestry differs from other industries in the long period of production, necessitating an accumulation of stocks, which is exposed to various dangers for a long period of time, and hence renders the business hazardous.

6. Forestry requires large areas and a large fixed capital, but only small running capital. It employs little labour, but furnishes employment at seasons when elsewhere labour is less needed.

7. As a financial investment, forestry is beset with many drawbacks, which render it less desirable for private enterprise; the necessity of keeping on hand a large stock exposed to danger renders it not a desirable object for financial operations.

8. Forestry engenders and requires permanence, continuity of plans, manage-ment and conservatism.

REPORT

OF THE

COMMISSIONER OF PUBLIC WORKS

FOR THE

PROVINCE OF ONTARIO

FOR THE

YEAR ENDING 31ST DECEMBER,

1890.

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REPORT

OF THE

COMMISSIONER OF PUBLIC WORKS

FOR THE

PROVINCE OF ONTARIO,

FOR THE YEAR ENDING 31ST DECEMBER, 1890.

To His Honour SIR ALEXANDER CAMPBELL, K. C. M. G.,
Lieutenant-Governor of the Province of Ontario, etc.

As required by the provisions of the Statute in that behalf, I beg to submit the report of the works, etc., prosecuted under the control of the Public Works Department, during the year 1890.

Full details of the several works in connection with the several Public Institutions and Buildings, and the maintenance and repairs of the Government and Departmental Buildings, will be found in the report of the Architect, &c., of the Department.

The report of the Engineer of the Department contains details of the several works connected with the construction of locks, dams, slides, etc.

The progress of railway construction throughout the Province during the year will also be found in the report.

The usual statements of the Accountant and Law Clerk, as to the expenditure made in respect of the various appropriations, and as to contracts entered into, are appended to the report.

Very respectfully submitted.

C. F. FRASER,
Commissioner.

DEPARTMENT OF PUBLIC WORKS, ONTARIO,
December 31st, 1890.

REPORT

OF

THE ARCHITECT, ETC.

Department of Public Works, Ontario,
Toronto, December 31st, 1890.

Sir,—I have the honour to submit the following report :

GOVERNMENT HOUSE.

The ordinary repairs were made to the main and out-buildings, and the grounds were kept in good order. Some renewals of furniture and furnishings were supplied as required.

NEW PROVINCIAL PARLIAMENT BUILDINGS.

The masonry and brick work of the western wing are nearly completed and ready for the roof, the work on the central portion and eastern wing is also in a forward state, and the whole building will be roofed in before the close of the building season of 1891.

OLD PARLIAMENT AND DEPARTMENTAL BUILDINGS.

The usual repairs were made, and the grounds have been kept in good order. Furniture and furnishings were supplied as required.

ASYLUM FOR INSANE, TORONTO.

The roofs of the main building and medical superintendent's residence were repaired, the expenditure having been charged to general repairs.

COTTAGES AT MIMICO.

The work in connection with these cottages was continued during the year, the drains and soft-water cisterns having been constructed, and the grounds round the four northern cottages graded and levelled. Five of the cottages are now occupied by about 300 patients. The sixth cottage will be occupied on the 3rd of February, and the seventh about the end of that month. The remaining eighth cottage will be completed before the 1st of May next, at which time the whole institution will be in good working order. These buildings will afford accommodation for 500 patients. The central and

rear buildings have been occupied for some time, the former for kitchen and laundry purposes, including the boiler and pumping engine houses, and dynamo engine for electric lighting, and the latter as workshops and coal vaults. The covered passages connecting the centre building with the cottages, main and rear buildings, have also been constructed. The pumping engine house on the lake shore was completed in September, and the works connected with the water supply from the lake and soft-water tanks were handed over to the resident physician, the inspector having been notified on the 30th of September. The sixteen fire hydrants and hose for the protection of the buildings were fully tested, and found quite satisfactory, the water having been thrown nearly to the top of the boiler house chimney, 90 feet in height. Two hose reels and 600 feet of fire hose have been provided, and are placed in the rear building. The cribwork for the protection of the water supply pipes, 200 feet in length, has also been completed, and can be used as a wharf during the summer season. The steam heating of the buildings is now nearly completed, and has been found ample for the purpose, including high pressure steam for the kitchen and laundry as required. Two hot-water boilers for the kitchen and laundry were also fitted up in the boiler house, in addition to the six steam boilers in connection with the water supply and steam heating contracts. The incandescent system of electric lighting has been in use for over twelve months, and has proved satisfactory, and 60 storage batteries for 50 lights in corridors and passages during the night have also been fitted in the engine room, but have not been fully tested. As the storage batteries were only found sufficient, when in order, to light the corridors and passages, and light being required by the resident physician in the main building and kitchen, after the dynamos ceased working in the evening, the inspector of asylums recommended that the natural gas procured from boring in the rock, as explained in last year's report, the pressure of which has now increased to 26 lb., should be utilized for the above purpose. The recommendation having been approved, directions were given to the contractors for the steam heating, to extend the gas pipes from the boiler house to the kitchen and main building, which has been done, and the light has been found ample and satisfactory. Should a further extension of the natural gas supply be required for the cottages or passages, the pressure of 26 lb. with a gas holder, will be sufficient for the purpose. With your approval, on the recommendation of the inspector of asylums, arrangements were made with the Ball Electric Light Co., to construct an additional dynamo, and ten arc lights for outside lighting of the grounds, and for lighting the pumping engine house at the lake. The work will soon be completed and available for the winter season. Tenders for the erection of houses for the engineer and farmer, and piggery on the farm, were received after due advertisement, the lowest being that of Mr. John Damp; this work is now nearly completed. Tenders also were received for the driving house west of the rear building, the lowest being that of Messrs. J. & E. Dickenson, was accepted. The building is nearly completed and can soon be used. The removal of the barn was postponed until next year when the grounds will be put in order and the roads constructed.

ASYLUM FOR INSANE, LONDON.

Appropriations having been made for the construction of a central boiler house, coal vault, and six new steel boilers in the rear of the main building, tenders were received on the 1st of July, the lowest being that of J. W. Schwendimann, Drayton, for the boiler house and coal vault, and the Waterous Engine Works Co., Brantford, for the boilers. The works in connection with the above contracts are not yet fully completed, but were sufficiently advanced to meet the requirements of the institution for the winter. Tenders also were received for a duplicate pump for water supply from the well, the tender of the Kilfey, Beckett Engine Co., Hamilton, being the lowest was accepted. The work in connection with its construction being in a forward state, will soon be completed. Appropriations were also made for additional pipes and two hydrants in the rear of the main building, in connection with the present fire protection, and for a piggery on the adjoining farm. Tenders, after due advertisement, were received for the above, the lowest for the additional hydrants being W. P. Turner, London, and for the piggery, John

Purdom, London. The additional hydrants were completed during the summer, and the work in the piggery is progressing satisfactorily, and will soon be completed. A tile drain was constructed from the present slaughter house and piggery, connecting with the well for the sewage disposal on the farm, and as there is no effluent from the drains of the sewage farm, as explained in last year's report, there is no discharge into the creek which runs through the grounds. There has been no expenditure on account of general repairs, the work in connection with the down pipes and drains for out-buildings having been postponed until next year.

ASYLUM FOR INSANE, HAMILTON.

After due advertisement early in September, tenders were received for the construction of a slaughter house and piggery on the farm, in the rear of the Orchard House, and for additions to the coal vaults in the rear of the main building. The tender of Messrs. J. & E. Dickenson, Hamilton, being the lowest was accepted. The works are not yet completed, but the coal vaults were sufficiently advanced for storing coal for the winter. Tenders also were received for the construction of iron pipes and twelve hydrants on the grounds for fire protection, the lowest being that of McQuillan & Co., Toronto, which was accepted. Two hose reels and 600 feet of fire hose were also included in the contract. The works were completed early in November, and tested on the 16th December. The pump at the engine house on Queen street not being supplied with a stronger pressure gauge at the time, the final test for satisfactory fire protection was postponed until the changes have been made, but the pipes and hose were found quite efficient. In addition to the above, the pumps and hose in the boiler houses at the main building, which did such good service at the recent fire in the rear of the main building, will also be available for fire protection. A hot air furnace was placed in the bursar's house, for which provision was made in the estimates. According to your instructions, I inspected the work done by the city in constructing the west end sewer, which receives the sewage from the asylum, and found the connections were all made in a satisfactory manner, and the new sewers properly constructed.

ASYLUM FOR INSANE, KINGSTON.

The roofs of the boiler house, coal house, and the gas holder being leaky and in some instances decayed, the woodwork was repaired by asylum labour, the materials being supplied by the Department, and a new tin roof was constructed. The roof of the old stable was also re-shingled. The framing of the roof supporting the weights of the gas holder was strengthened, and some additional weights and pulleys supplied. Repairs were not required at the branch asylum.

ASYLUM FOR IDIOTS, ORILLIA.

The works in connection with the erection of the main front building were continued during the year, and will soon be completed and ready for occupation. Tenders were received on the 1st of July, for the steam heating and boilers for the main front buildding, the lowest being that of Messrs. Keith & Fitzsimmons, Toronto, was accepted. Some delay has occurred from the late delivery of the boilers, and the large steam supply pipes which were imported from the United States. The works are now in a forward state, and the work will be completed next month, when the building can be occupied by patients. Tenders were also received for a barn and driving shed, and for the extension of the pipes and hydrants for fire protection, and for soft-water tanks, pumps, etc., the lowest being that of Mr. John Forin, was accepted. The works are completed and in good working order. These buildings with the cottages will accommodate 500 patients.

REFORMATORY FOR BOYS, PENETANGUISHENE.

The new duplicate steam boiler at the pumping engine house on the bay shore and addition to the engine house were completed early in the year, and have been used since that time. There has been no expenditure on account of general repairs.

REFORMATORY FOR FEMALES, TORONTO.

Repairs were made to the roofs, down pipes and eavetroughs as required. The doors between the centre front portion and the main building, and the Girl's Refuge were covered with sheet iron for better protection against fire, as recommended by the Inspector. Some additional keys and locks for the outer doors were supplied as recommended. A brick chimney for the heating stove in the ironing room was built by workmen employed by the department.

CENTRAL PRISON, TORONTO.

There has been no expenditure on account of general repairs or drains, the ordinary repairs having been made by the prison authorities.

DEAF AND DUMB INSTITUTE, BELLEVILLE.

The manhole of the main sewer having fallen in, the brick work had to be taken down and rebuilt, and the sewer repaired. The chimney of the pumping engine-house at the bay shore, having been injured by a severe storm in the spring, being in a dangerous condition had to be taken down and repaired. The engine-house is now in good repair.

BLIND INSTITUTE, BRANTFORD,

Arrangements were made with the City Water Works Committee to extend the water pipes and construct four hydrants on the grounds round the building for the protection of the same against fire. The work has been done in a satisfactory manner, according to agreement. There has been no expenditure on account of general repairs.

AGRICULTURAL COLLEGE, GUELPH.

The sewage disposal works, as explained in the report of last year, were continued, but ferozone was used instead of porous carbon. The effluent also discharges over a level portion of the ground before passing into the creek. The tender of Richard Mahoney was accepted for the construction of a wagon house and wood shed for the farm foreman. The works in connection with the farm buildings were fully completed during the spring, some fittings and work being unfinished, though the buildings were occupied last year. Some repairs were made to the drains and cottages on the farm as required, and approved.

EDUCATIONAL DEPARTMENT AND NORMAL SCHOOL, TORONTO.

The new Conservatory has been constructed. Tenders were received for the erection of three new steel boilers, the lowest being that of the Waterous Engine Works Co., Brantford, and the work has been done in a satisfactory manner. The steam heating of the Model Schools was also reconstructed under the plumber of the department, and the hot water boiler and pipes of the old Conservatory were refitted in the new Conservatory under his direction with the assistance of a steamfitter. Some repairs to the roofs and drains were made as required.

NORMAL SCHOOL, OTTAWA.

The interior of the buildings were repaired and painted during the vacation where required, and the roofs and eaves were also repaired. The front fences on Elgin and Lisgar streets were repaired and painted, several of the post and pickets being decayed were replaced, the fences generally being now in good order. The furnaces of boilers

were repaired as required, and the stone-work was painted where necessary. Repairs were also required for the planking of the yards. These buildings and grounds are now in good order and repair.

SCHOOL OF PRACTICAL SCIENCE, TORONTO.

The works in connection with the addition to this building progressed in a satisfactory manner, and were completed before the specified time. Furniture and fittings were required in the rooms vacated by the engineering section, which were changed to a chemical laboratory, and some fittings were placed in the rooms and laboratories of the professor of chemistry. The necessary apparatus and equipment were provided for the physical laboratory as required by the Minister of Education. Furniture and furnishings were also provided for the addition in accordance with the appropriation in the estimates. Tenders were received for the steam heating of the old building and addition, the lowest being that of Messrs. Purdy, Mansell & Mashinter, which was accepted. The work has been done in a satisfactory manner and in time for the opening of the classes. Tenders also were received for the additional storeys to the wings, the lowest being that of Messrs. Chalkely & Martin. This work was also completed before the end of the vacation. Some work requires to be done in connection with the apparatus and equipment of the physical laboratory, the engines and machinery not being yet in running order. Some fittings and furniture are also required to complete the equipment in accordance with the estimates. Additional pipes and three hydrants for fire protection were placed on the grounds, which have been graded and sodded, and one hose reel and 200 feet of fire hose have also been provided.

OSGOODE HALL, TORONTO.

The court rooms were calsomined and painted in accordance with the requisition of the judges, and approved. Some of the court rooms had not been painted for several years, the walls and ceilings being in a discoloured condition, and further expenditure on this account will not be required for many years. The water closets, fourteen in number, have been reconstructed and placed in a good sanitary condition, including all air vents and modern appliances. Those in the centre portion will be completed next month, the drains leading fron those closets have also been reconstructed. The cut-stone work and tiling of the Central Hall, being very much discoloured and covered with dust, were also cleaned. Furniture and furnishings were supplied as required, the building being now in good order. The roofs of the Queen's Bench and Common Pleas court rooms were slated.

GOVERNMENT HOUSE, TORONTO.

There has been no expenditure on capital account this year, the appropriations for the maintenance and repairs being sufficient for the purpose.

ALGOMA DISTRICT.

Tenders were received early in the year for the supply of long cedar posts for the proposed fences round the gaol yards at Sault Ste. Marie, the lowest being that of W. A. Bond, which was accepted, and the posts were delivered according to agreement. Tenders were afterwards received for the construction of the fences, the lowest being that of W. H. Lefebur, which was accepted, and the work was done in a satisfactory manner, under Mr. Angus, Clerk of Works. The court room was completed at Gore Bay, and repairs made to the several lock-ups as required.

THUNDER BAY, DISTRICT.

Tenders were received for the construction of a hot-air apparatus for the gaol at Port Arthur, the lowest being that of the E. & C. Gurney Co., Toronto, which was accepted,

and the work was done in a satisfactory manner. Sundry repairs and furniture were required for the gaol and court room at Port Arthur, and some repairs to the lock-up, Fort William, were made.

MUSKOKA DISTRICT.

In accordance with recommendation of the Inspector of Prisons, the walls and ceilings of the cells, and the walls of the day rooms of the lock-up, Bracebridge, as approved, were lined with No. 10 sheet iron, and the doors were changed to open outwards. The iron guards to the windows of the day rooms were strengthened with cross-bars, for the better security of the prisoners, some escapes having occurred by the prisoners making holes in the brick walls. The floors of the lock-up had to be repaired, the wood and iron work painted and walls lime-whited.

PARRY SOUND DISTRICT.

Tenders were received for furnishing the court room at Parry Sound, the tender of Robert Adam being the lowest, was accepted. Benches and chairs were also supplied for the court room and offices, and repairs made as required. Some repairs were also made at the lock-up Burk's Falls.

NIPISSING DISTRICT.

Repairs were made to the lock-up, Sudbury, and the lock-up-keeper's residence was completed. The well was sunk to further depth, and a good supply of water was procured. An iron force pump and hose were also provided, which would be useful in case of fire, as the lock-up is some distance from the village. The court room, etc., at North Bay is in good repair.

RAINY RIVER DISTRICT.

Sundry repairs were required to the lock up and court room at Rat Portage which were done, and some painting was also required.

MISCELLANEOUS.

The plastering in the interior of Brock's Monument was repaired, and the cut stone on the outside pointed. The fences also were repaired, and put in good condition. Plank steps were constructed on the side of the hill for the convenience of visitors, the work was done by Mr. Goring, caretaker.

The vault of the registry office, Minden, was repaired, the stone work being much injured by the frost getting under the foundations. The court house and registry office were erected by the County Council of Haliburton, the Government having contributed towards the cost, but the stone and brick work were badly done, the walls not being solid in the centre, which was apparent when the work was taken down. The foundations were not protected from the frost, being the principal cause of the damage to the building. The registry office is now in a good state of repair.

I have the honour to remain,
Your obedient servant,

KIVAS TULLY,
Assistant, etc.

Hon. C. F. Fraser,
Commissioner of Public Works,
Ontario.

REPORT

OF THE

ENGINEER OF PUBLIC WORKS.

DEPARTMENT OF PUBLIC WORKS, ONTARIO,
TORONTO, 31ST DECEMBER, 1890.

HON. C. F. FRASER, *Commissioner of Public Works, Ontario*:—

SIR,—I have the honor to submit the following report on works which have been attended to, also respecting the construction of railways throughout the Province during the year 1890.

MARY'S AND FAIRY LAKES WORKS.

The re-construction of this lock and other works in connection therewith was commenced on the 21st of October, and continued until the latter part of December, when operations were suspended for the winter.

Coffer-dams were erected both above and below the lock, and the chamber unwatered, when all decayed and unsuitable timber was removed from the cribwork forming the lock walls, and replaced with new material.

In order to stop leakage from the canal into the cribwork, the earth was removed from the face of the wing-wall, which extends into the easterly bank, and a quantity of additional sheet-piling and concrete put in, and the earth replaced. Repairs have also been made to the mitre-sill platforms, lift-wall and flooring of the chamber.

The stop-log pier at the head of the canal, above the lock, 40 feet in length, and 6 feet in width, and the pier alongside the mill on the westerly side of the canal, 114 feet in length and 8 feet in width, have been rebuilt from low-water up, and the guard timbers extending from the stop-log pier to the swing-bridge have also been reconstructed in a substantial manner.

The work is now sufficiently advanced to admit of the remaining portion being allowed to stand until spring, when it can be proceeded with under more favorable circumstances, and the whole can be completed without interference with navigation next year.

DREDGING CHANNEL BELOW LOCK.

This work was commenced on the 15th of April and continued until the 16th of June, when the channel had been dredged for a distance of about 750 feet down stream from the end of the cribwork below the lock, to a width of 60 feet, and to a depth of 18 inches below the top of the lower mitre-sill; the material removed consisting of gravel, sunken slabs, logs and other debris. Some boulders which interfered with navigation have also been removed from the channel below the swing-bridge in the Village of Huntsville.

The steam dredging plant belonging to the Department was utilized in the carrying out of these works.

MUSKOKA LAKES WORKS.

The channel known as "Clark's Cut," extending from the Indian River to Lake Rosseau, which formerly, during certain seasons, was of insufficient size, has been enlarged to a bottom width of eleven feet and a depth of about two feet six inches at low-water.

The sides of the excavation have been well sloped and protected from wash at the bottom by cribwork constructed of round logs. The length of the channel from water to water is 340 feet, but the excavation had to be continued into the Indian River a distance of about 50 feet, in order to get the required depth, making the total length about 390 feet.

The enlargement of this channel will prove a great convenience to persons residing around the southerly portion of Lake Rosseau, as by it the distance to Port Carling will not only be considerably lessened, but the trouble and inconvenience frequently experienced owing to this somewhat tortuous portion of the river being obstructed with saw-logs, can also be avoided

The upper guide pier on the northerly side of the lock at Port Carling has been extended a length of 56 feet. The superstructure rests upon two cribwork piers, 9x12 and 12x12 feet square respectively, placed about 25 feet apart from centres, and compactly filled with stone. The stringers are 12x12 inches square and the floor planking is three inches in thickness, the width of the platform being 12 feet. The cribbing at the end of the old guide pier has also been increased in height, some additional stone filling put in, and the floor planking renewed for a length of 45 feet. A quantity of loose stone which formed an obstruction in the channel opposite the new guide-pier has also been removed.

Repairs have been made to the stop-log platform of the dam, and to the planking on top of the lock-walls, and some slight repairs have also been made to the lock gates and swing-bridge.

The swing-bridge at Port Sandfield has been adjusted and some repairs made to the turntable.

GULL AND BURNT RIVER WORKS.

The reconstruction of the dam and slide, and highway bridge at the outlet of Pine Lake, at Gooderham P. O., Township of Glamorgan, was commenced in the latter part of June, and the work was continued until the 12th of September, when it was completed.

The dam is 75 feet in length, 30 feet in width, and an average height of about 12 feet, with two openings in it, one of 8 feet in width and the other 4 feet in width at the bottom, with sides battering out to a width of 13 feet at the top.

The total length of the slide from the upper side of the dam is 187 feet, the sides for a length of 30 feet immediately below the dam being formed with 12x12 inch square timber, and the remaining 127 feet with bents constructed of 5x6 inches square scantling, framed with a batter of six inches to the foot on the sides, and sheeted with three inch pine planking. The entire bottom is floored with maple and birch planking four inches in thickness. The highway bridge 75 feet in length and 12 feet in width, is constructed on the lower side of the dam, with a curve at the easterly end to suit the roadway. The stringers are of 12x12 inch square pine timber, and the floor planking is three inches in thickness. The bridge is provided with a substantial handrailing constructed of 5x6 inch scantling.

MISSISSICUA LAKE DAM.

The construction of a dam at the outlet of this lake was commenced in the latter part of the month of June, and the work was continued until completion in the month of October.

The main dam, 139 feet in length, 25 feet in width, and an average height of about 15 feet, is provided with three stop-log openings, 9 feet in height each, and 14, 19 and 20 feet in width each respectively.

The stop-log platform is 100 feet in length and 12 feet in width, provided with the necessary windlasses and chains, etc., required for raising and lowering the stop-logs.

The wing-dam at the westerly end of the main-dam is 129 feet in length, 77 feet of it being 12 feet in width, and an average height of 8 feet, and the remaining 52 feet being 6 feet in width, and about 4 feet in height, making the total length of the structure 268 feet. In addition to the above two dams 60 and 51 feet in length each, 6 feet in width and about 7 feet in height, have been constructed across ravines through which the water would find outlets during time of freshet; one is situated on the easterly and the other on the westerly side of the main-dam, and at short distances from it.

These improvements will enable the waters of Mississicua, Catchacomu and Gould Lakes, the superficial area of which is about 4,000 acres, to be reserved for navigation and other purposes, and as the lakes can be raised to a height of about 9 feet above low water level, they will form a valuable reservoir which will materially assist in keeping up the water in Stony Lake, and also in the Otonabee River below the lock at Young's Point.

I understand that a small steamer has already been placed on the lakes, which will not only prove a great convenience to the settlers in that locality, but will also have a tendency to accelerate the opening up and development of a section of country which has hitherto been somewhat difficult to reach.

SCUGOG RIVER IMPROVEMENT.

The improvement of this stream, immediately below the lock, was commenced on the 18th of August, and continued until the 3rd of December, when, owing to the severity of the weather, operations were brought to a close.

The work consisted almost entirely of rock excavation, the material, after being drilled and blasted, being removed from the bed of the river by a steam dredge, and conveyed on scows to convenient points along the banks.

The channel has been enlarged for a length of about 1,000 feet, to a width of 60 feet, and a depth of about 7 feet at low water.

LAKE SCUGOG FLATS ROAD.

An appropriation of $1,500 was granted last session to assist in the construction of a road across these flats, the original allowance having been flooded by the erection of Public Works at Lindsay.

The work has been satisfactorily carried out, but the appropriation has not yet been paid over, and will require to be revoted.

The road commences on Scugog Island, at the town line between the townships of Reach and Cartwright, and on the line between the 5th and 6th concessions of Reach, and extends diagonally across lots 1 and 2 in Cartwright until it intersects the line between the 5th and 6th concessions of that township, thence along that line to about the easterly limit of lot 4, the total length being 575.84 rods, or a little over $1\frac{3}{4}$ miles.

MISSISSIPPI RIVER IMPROVEMENTS.

The works attended to out of this appropriation during the present year, consisted of the excavation of channels through rocky shoals, which formed obstructions in the stream between Carleton Place and the village of Appleton.

Operations were commenced on the 28th of August on lot No. 1 in the 9th concession of the township of Ramsay, and continued until the 22nd of October, when the channel for a length of about 575 feet and a width of 60 feet had been deepened.

Operations were then commenced on lot No. 1 in the 8th concession of the same township, and continued until the 15th of November, when the deepening of the channel for a length of about 335 feet and a width of about 20 feet was completed, and the work brought to a close.

MAINTENANCE OF LOCKS, DAMS AND SWING-BRIDGES.

In addition to the works of this description already referred to, the following repairs and improvements have also been made out of this appropriation during the present year:—

Racketty Creek Slide.

A portion of the westerly side of this slide, 72 feet in length, has been replanked and strengthened, and new feed-rollers put in at the upper end. Repairs have also been made to the planking in various other places, and several new braces put in where required.

Bob Lake Dam.

This dam has been supplied with four new stop-logs and two new windlasses and frames.

Dam at Workman's Mills—Gull River.

The northerly and southerly ends of this dam, 68 and 49 feet in length respectively, and 20 feet in width, have been rebuilt four feet in height in front, and six feet at the back, with 12 x 12 inch square pine and cedar timber, and a considerable quantity of additional stone filling has been put in. The centre pier has been repaired with one new course of timber, and the front and back sticks of the pier at the slide opening have also been renewed. The dam has also been gravelled to make it water-tight and supplied with one new windlass, and repairs have been made to the flooring of the slide.

Horse-Shoe Lake Dam.

This dam has been supplied with one new windlass, and repairs have been made to the stop-log posts and windlass frames. Pieces of timber have also been spiked on the corners of the slide piers to protect them from injury.

Hawk Lake Dam

The two upper courses of timber in this dam have been renewed, and the height of the structure increased by putting on two additional courses of 12 x 12 inch square timber. A quantity of stone-filling has also been put into the cribwork, the stop-log platform rebuilt, and new windlasses and frames, etc., provided.

Crab Lake Dam.

Repairs have been made to the stop-log platform of this dam, and new windlasses and frames provided.

[illegible] and Parat Lake Dams.

These dams have been supplied with new stop-log platforms, and the windlasses and frames have also been renewed.

Pine Lake Dam—Township of Harburn.

The easterly end of this dam has been repaired, and some gravelling done to make it water-tight.

Redstone Lake Dam.

This dam has been supplied with new windlasses and frames, etc., and some other slight repairs made thereto.

Dam at High Falls—Burnt River.

The southerly end of this dam has been extended 40 feet in length, and 12 feet in width, and the old structure, 182 feet in length, has been increased two feet in height and filled with stone. A portion of the dam, 70 feet in length, has also been covered with cedar 6 inches in thickness.

Dam on Otter Lake.

In order to enable the water of this lake to be maintained at the height to which it can be raised by the dam across the principal outlet, a new dam has been constructed across a ravine situated on the southerly side of the channel, a short distance above the main one. The new structure is 40 feet in length and about 7 feet in height, constructed of round timber, built with a face batter of two to one, and covered with pine planking 4 inches in thickness, the whole being well covered with gravel.

Grace Lake Dam.

This dam has been supplied with two new windlasses, and two new stop-logs.

Bear Lakes Dams.

The dams at the outlets of both Little and Big Bear Lakes, have each been supplied with two new stop-logs and other minor repairs made thereto.

Works on Bear Creek.

The westerly end of the dam at the foot of what is known as the "Big Marsh" has been taken down for a length of 60 feet, rebuilt two feet in height, and gravelled. The dam has also been supplied with five new stop-logs, and pieces have been put on the corners of the slide piers to protect them from injury.

The pier on the easterly side of the creek, at the upper end of the second slide below the "Big Marsh," has been rebuilt, two courses in height, for a length of 21 feet. A new pier 30 feet in length, 8 feet in height, and 6 feet in width, has also been constructed on the westerly side of the creek at the upper end of this slide, and the sides of the slide have been rebuilt four feet in height, and new ties and braces provided.

Devil's Creek Dam.

This dam has been supplied with seven new stop-logs, and two new windlasses, and chains, etc., the stop-log platform replanked, and some gravelling done.

Ah-Mic Lake Dam.

An additional outlet for the water of Ah-Mic Lake, during time of freshet, has been provided, by blasting away rocky obstructions and removing a portion of the cribwork which formed one of the piers of the dam.

The new opening, 16 feet in width and five feet in depth, is floored with three inch pine planking, and provided with a stop-log platform, windlasses and chains, so as to enable the stop-logs to be taken out and replaced as desirable.

The remaining portions of the cribwork, which now forms the side piers of the opening, have been raised one foot in height, compactly filled with stone, and strongly braced from below and rock-bolted. A quantity of solid rock has also been removed from the northerly end of the dam, and the outlet for floodwater enlarged, three feet in width, and one foot in depth.

Repairs have been made to the planking on the walls of the lock at Maganetewan, and also to the valves and foot walks on the lock gates, and a foot walk has been constructed from the lock to the stop-log openings in the westerly wing dam.

The swing bridge has been adjusted, some braces put to the racking and necessary repairs attended to.

Young's Point Lock, etc.

The guide pier on the westerly side of the channel below this lock has been extended 132 feet in length and 12 feet in width, by constructing two cribs, 6x12 feet square and 6 feet in height, and utilizing two of the old cribs which formerly supported the boom. The superstructure is formed with 12x12 inch corbels and stringers, covered with pine planking three inches in thickness.

The stop-log piers at the head of the canal above the lock have been gravelled, to prevent the water finding its way around them, two new bolts have been put in the valve rod connection of the lower lock gates, and the swing bridge has been adjusted.

Works on the Balsam River.

The guide pier on the north-easterly side of the channel at the swing bridge, has been taken down to the water's edge and rebuilt 54 feet in length and six feet in width and the cribwork refilled with stone.

The swing bridge has been adjusted and supplied with one new needle beam.

The pier on the south-westerly side of the channel, upon which the ends of both the swing and fixed bridges rest, has also been reconstructed, the timber forming the old pier having become badly decayed, and a portion of it torn away by scows striking against it.

The new pier is 30 feet in length at the back, splayed 10 feet at the up-stream end, and is ten feet in width and ten feet in height. It is built of 12x12 inch square timber, and 10x12 inch ties, the whole being well framed and fastened together with $\frac{7}{8}$ inch square rag-bolts, and the cribwork filled with stone.

In order to avoid interference with the public during the progress of the work, bents were framed and placed so as to keep both the swing and fixed bridges in position, until the improvement was completed.

A new guide pier, 12 feet in length, 10 feet in width and 6 feet in height, has also been constructed on the southerly side of the channel below the lock.

Swing Bridges, etc., at Lindsay.

The swing bridge on Lindsay street, immediately below the lock, has been entirely reconstructed, and a substantial retaining wall of masonry has been built at the northerly end, to replace the timberwork which formerly served this purpose; but which, owing to decay and settlement, required frequent attention and repairs.

The bridge on Wellington street has been provided with a new circular piece at the westerly end, several new floor stringers have been put in, and the entire structure refloored with 3 inch pine planking.

The bridge south of Lindsay has been provided with a number of new prisms and a new cap-piece for the gallows frame. Repairs have also been made to the swinging gear, and new flooring provided.

The lower lock gates have been temporarily repaired by bolting on pieces of timber, which afforded sufficient strength to resist the pressure of the water during the past season of navigation, but the gates of this lock are all now in a worn out condition, and will require to be renewed before the opening of navigation in the coming year.

The following are the lockmaster's returns of the lockages made at the different locks during the year :—

Port Carling Lock—1,500 steamers, 1,115 small boats, 373 scows and 332 cribs of timber.

Mary's and Fairy Lakes Lock—53 steamers and 37 scows.

Maganetewan Lock—716 steamers, 58 small boats, 74 scows and 15 cribs of timber.

Lindsay Lock—162 steamers, 195 scows and 165 cribs of timber.

Young's Point Lock—968 steamers, 141 small boats, 140 scows and 190 cribs of timber.

Balsam River Lock.—208 steamers, 54 small boats, 40,000 saw-logs and 7,000 telegraph poles.

EXTENSION OF RAILWAYS IN 1890.

The works of this description which have been proceeded with during the present year are, as far as could be ascertained, as follows :—

The Parry Sound Colonization Railway

The construction of this railway has been commenced during the present year. The line is intended to run from Scotia, on the Northern and Pacific Junction Railway, to Parry Sound, a distance of 49 miles.

Construction was commenced in June at the easterly end of the line, and I understand that the grading of eleven miles is completed, and that two and a half miles of track have been laid, and two and a half miles ballasted.

In addition to the above the clearing is also completed on fifteen miles, and grading has been commenced, and it is intended to proceed continuously with the work during the present winter.

It is expected that ten miles will be completed about the middle of February, and that thirty miles will be opened for traffic about the 1st of November next, and the entire line some time during the summer of 1892.

Port Arthur, Duluth and Western Railway.

The construction of this railway, which, as previously reported, was commenced during the month of October, 1889, has been continued during the present year, and I am informed that the grading for a length of about 50 miles is now completed, and that 43 miles of iron have been laid and about 31 miles ballasted.

The work, I understand, will be vigorously prosecuted during the present winter, and it is expected that the entire line will be completed and opened for traffic to Gun Flint Lake, about the close of the coming year.

Toronto Belt Line Railway.

This railway is intended to commence at the Don Station of the G. T. R., and will extend north and westward until it forms a junction with the Northern at Eglington Avenue, the total length being about 8½ miles.

Construction was commenced in April last, and I understand that about 3 miles have been graded and that track laying has been commenced.

It is expected the line will be completed and opened for traffic about midsummer of 1891.

Waterloo Junction Railway.

The construction of this railway was commenced in the month of December of the present year.

The line will extend northward from Waterloo to St. Jacob's, thence to Elmira, the total length being about 10¼ miles. It is expected that the work will be completed about the latter part of the summer of 1891, and I understand the line will be operated as a portion of the Grand Trunk system.

Ontario and Quebec Railway—Don Branch.

A settlement of the difficulty, between the railway and municipal authorities, respecting right of way along the Don improvement having been arrived at, the construction of this branch was again proceeded with during the present year. The line is now fully completed to Berkeley street, but there is yet, I understand, about 400 feet of track to be laid in order to connect the branch with existing tracks along the Esplanade. The delay in the completion of the work is, I am informed, caused by a difficulty in connection with the Toronto water front.

I conclude my report by furnishing the usual revised statement to the close of 1890, giving in detail the mileage of each railway in Ontario, and distinguishing between those constructed prior to and since Confederation.

REVISED STATEMENT.

No.	Name of Railway.	Terminal Points.		Completed prior to Confederation.	Completed since Confederation.	At present under Construction or Contract.
		From.	To.	Length in Miles.	Length in Miles.	Length in Miles.
1	Grand Trunk Railway, Main Line	Eastern Province Boundary	Point Edward	457		
2	do Buffalo & Lake Huron Branch	Fort Erie	Goderich	158		
3	do London Branch	St. Mary's	London	23		
4	do Galt & Doon Branch	Galt	Berlin	7	4.5	
5	do Waterloo Junction Railway	Waterloo	Elmira			10.25
6	do Toronto & Nipissing Branch	Toronto	Coboconk		88	
7	do Midland Railway, Main Line	Port Hope	Midland City	65	54.53	
8	do do Peterboro' Branch	Millbrook	Lakefield	13	9	
9	do Lake Simcoe Junction	Stouffville	Jackson's Point		26.5	
10	do Whitby, Port Perry & Lindsay	Whitby	Lindsay		46	
11	do Victoria Railway	Lindsay	Haliburton		55.81	
12	do Grand Junction Railway	Belleville	Peterborough		64.65	
13	do Belleville & North Hastings	Grand Junction Railway	Madoc		22	
14	do Toronto & Ottawa, Main Line	Peterborough	Casselman		9	173
15	do do Manilla Link	Wick	Manilla		6.5	
16	do do Omemee Link	Omemee	Peterborough		14	
17	do Port Dover & Lake Huron	Port Dover	Stratford		63	
18	do South Norfolk Railway	Simcoe	Port Rowan		17	
19	do Chemong Branch	Peterborough	Chemong Lake		9	
20	do Stratford & Huron	Stratford	Wiarton		106.27	
21	do Georgian Bay & Wellington	Palmerston	Durham		26	
22	Grand Trunk Railway, Great Western Div. Main Line	Suspension Bridge	Windsor	229		
23	do Toronto & Hamilton Branch	Toronto	Hamilton	39.5		
24	do Loop Line Division	Glencoe	Fort Erie		145	
25	do Sarnia Branch	Komoka	Sarnia	51		
26	do Petrolia Branch	Wyoming	Petrolia	7		
27	do Brantford Branch	Harrisburgh	Brantford	8		
28	do Brantford & Norfolk	Brantford	Tilsonburgh		35.88	
29	do Wellington, Grey & Bruce	Harrisburgh	Southampton	27	102	
30	do do S. Extension	Palmerston	Kincardine		66	
31	do London, Huron & Bruce	Hyde Park Junction	Wingham		69.75	
32	do London & Port Stanley	London	Port Stanley	25		
33	do Welland Railway	Port Colborne	Port Dalhousie	25		
34	Northern Railway, Collingwood Line	Toronto	Meaford	94	21	
35	do Muskoka Branch	Barrie	Gravenhurst		53	
36	do Hamilton & Northwestern, Main Line	Port Dover	Allandale		135.3	
37	do do Collingwood Branch	Clarksville	Collingwood		40	
38	do North Simcoe Junction	Colwell	Penetanguishene		33.34	
39	Northern & Pacific Junction Railway	Gravenhurst	La Vause		111.5	

REVISED STATEMENT.—*Continued.*

No.	Name of Railway.	Terminal Points. From.	Terminal Points. To.	Completed prior to Confederation. Length in Miles.	Completed since Confederation. Length in Miles.	At present under Construction or Contract. Length in Miles.
40	Canadian Pacific Railway, Main Line	Ottawa	Western Province Boundary	57	1144	
41	do Algoma Branch	Sudbury Junction	Sault Ste. Marie		180.25	
42	do Brockville & Ottawa Railway	Brockville	Carleton Place	46		
43	do St. Lawrence & Ottawa Ry. and Chaudiere Branch	Prescott	Ottawa	59.5		
44	do Ontario & Quebec Railway	Toronto Junction	Eastern Province Boundary	12	281.25	
45	do do Don Branch	Main Line	Toronto		5	
46	do do Detroit Extension	London	Windsor		112.50	
47	do Credit Valley Ry., Main Line	Toronto	St. Thomas		119.13	
48	do do Orangeville Branch	Streetsville	Elora and Orangeville		62.83	
49	do do Guelph Branch	Campbellville	Guelph		15	
50	do Toronto, Grey & Bruce, Main Line	Toronto	Owen Sound		122	
51	do do Teeswater Branch	Orangeville	Teeswater		73	
52	do do Wingham Branch	Glenannan	Wingham		4.75	
53	do West Ontario Pacific Railway	Woodstock	London		27	
54	do South Ontario Pacific Railway	Toronto	Hamilton			40
55	Canada Southern Railway, Main Line	Fort Erie	Amherstburg		229	
56	do St. Clair Branch	St. Thomas	Courtwright		62	
57	do Essex Cut-off	Essex Centre	Sandwich		15.5	
58	do Niagara Branch	Niagara	Fort Erie	30		
59	Canada Atlantic Railway	Ottawa	Eastern Province Boundary		68.08	
60	Cobourg, Peterboro' & Marmora Ry., Marmora Line	Cobourg	Harwood	22		
61	Kingston & Pembroke Railway	Kingston	Renfrew		103	
62	Prince Edward County	Picton	Trenton at G. T. R.		32.44	
63	Central Ontario Railway	Trenton at G. T. R	Coe Hill		74	
64	Erie & Huron Railway	Rondeau	Sarnia		70.47	
65	Napanee, Tamworth & Quebec Railway	Napanee	Tweed		50	
66	do do Harrowsmith Branch	Yarker	Harrowsmith		7	
67	Bay of Quinte Railway	Deseronto	Grand Trunk Railway		3.5	
68	Nosbonsing & Nipissing Railway	Lake Nipissing (S. E. Bay)	Lake Nosbonsing		5	
69	Ontario & Sault Ste. Marie Railway	Sault Ste. Marie	Spanish River			125
70	Irondale, Bancroft & Ottawa Railway	Kinmount	Bancroft		10	40
71	Brockville, Westport & Sault Ste. Marie	Brockville	Sault Ste. Marie		45	455
72	St. Catharines & Niagara Central Railway	Niagara Falls	Toronto		12.5	62.5
73	Lake Erie, Essex & Detroit River Railway	Walkerville	Leamington		38	
74	Port Arthur, Duluth & Western Railway	Port Arthur	Gun Flint Lake		30	54.75
75	Parry Sound Colonization Railway	Scotia	Parry Sound			49
76	Toronto Belt Line Railway	Don Station G. T. R.	Junction with Northern Ry.			8.50
				1455.00	4436.73	1018.00

In addition to the work done on the new lines of railway under construction, the improvement of the Grand Trunk system has also been steadily proceeded with during the present year, and I understand that the laying of double track has been completed between Wales and Iroquois, a distance of 22 miles, and between Napanee and Belleville, a distance of 21½ miles.

The total mileage of double track, now open between Toronto and Montreal, is 185½ miles.

On the Great Western Division the line has been double-tracked from Toronto to Mimico, a distance of about 5¾ miles. The total mileage of double track now laid on this Division being, I understand, about 89½ miles.

I have the honor to remain, Sir,
Your obedient servant,

ROBT. McCALLUM,
Engineer, Public Works.

STATEMENTS

OF THE

ACCOUNTANT

AND

LAW CLERK.

No. 1.—Statement of Expenditures on Public Buildings and Works in 1889 and 1890, and Total Expenditures up to the 31st of December, 1890. (Capital account).

NAME OF WORK.	Expenditures from 1st July, 1867, to 31st December, 1888.	Expenditures, 1889.	Expenditures, 1890.	Totals.
	$ c.	$ c.	$ c.	$ c.
Government House	166,851 97	2,712 00		169,563 97
Parliament and Departmental Buildings	85,285 98			85,285 98
New Parliament and Departmental Buildings, Queen's Park:				
Lionel Yorke, on contract for masonry, brickwork, etc	244,353 37	15,967 40		260,320 77
Carroll, Gaylord & Vick, on contract for masonry, brickwork, etc		69,895 26	120,927 63	190,822 89
Lionel Yorke, on contract for carpentry and iron work	8,531 41	174 12		8,705 53
Lionel York, Estate, on contract for carpentry and iron work		6,397 08	11,003 72	17,400 80
Lionel Yorke, for bricks furnished	12,037 05			12,037 05
Central Prison, "		30,000 00		30,000 00
St. Lawrence Foundry Co., on contract for iron work	10,019 24	17,187 61	7,160 02	34,366 87
Payments to Mr. Waite, as Architect	12,500 00	3,500 00	3,000 00	19,000 00
Sundry other expenditures (*re* competitive plans, water mains, drains, advertising tenders, etc)	21,205 49	75 88	11 05	21,292 42
Asylum for the Insane, Toronto	288,436 44	9,821 56	5,320 05	303,578 05
" " Mimico Branch	6,034 10	172,062 94	171,931 04	350,028 08
" London	699,504 87	35,896 08	22,424 17	757,825 12
" Hamilton	641,877 28	21,383 03	19,699 13	682,959 44
" Kingston	317,460 09	3,628 13	7,688 16	328,776 38
" (Branch) Kingston	9,422 82			9,422 82
Asylum for Idiots, Orillia	234,485 42	57,596 30	104,477 89	396,559 61
Deaf and Dumb Institute, Belleville	227,159 35	6,697 45	8,842 42	242,699 22
Blind Institute, Brantford	231,855 00	1,760 45	3,856 80	237,472 25
Reformatory for Boys, Penetanguishene	135,585 63	4,725 85	6,359 36	146,670 84
Central Prison, Toronto	614,296 61	63,375 05	10,742 27	688,413 93
Agricultural College, Guelph	315,893 95	28,980 64	5,811 22	350,685 81
School of Practical Science, Toronto, (old building)	59,100 26			59,100 26
" " (new building and addition)	55,212 23	33,117 31	52,914 85	141,244 39
Andrew Mercer Reformatory for Females, Toronto	157,791 41	34,262 83	2,865 67	194,919 91
Educational Department and Normal and Model Schools, Toronto	106,403 16	7,000 00	11,420 77	124,823 93
Normal and Model Schools, Ottawa	151,130 59	2,941 70	6,000 00	160,072 29
Government Farm, Mimico	51,646 34			51,646 34
Osgoode Hall, Toronto	113,369 06	3,691 18	3,815 46	120,875 70
Agricultural Hall, Toronto	324 00			324 00
Brock's Monument, Queenston Heights	3,442 96	193 80	119 50	3,756 26
Niagara River Fence	8,025 43			8,025 43

★ See Note.

NOTE.—*These items cover the expenditures by Public Works Department in respect of the construction of the new buildings, but do not include the amount paid to Toronto University for the old Asylum premises. The quantity of bricks for which payment has been made to Mr. Yorke is to be deducted from the quantity which, by the contract, is agreed to be furnished from the Central Prison.*

No. 1.—Statement of Expenditures on Public Buildings and Works—(Capital Account).—*Continued*

	NAME OF WORK.	Expenditure from 1st July, 1867, to 31st December, 1889.	Expenditures, 1889.	Expenditures, 1890.	Totals.
		$ c.	$ c.	$ c.	$ c.
Muskoka District.	Immigration Sheds at Gravenhurst	355 00			355 00
"	Registry Office and Lock-up, Bracebridge	7,169 08	177 03	868 20	8,214 31
"	Lock-up and Court Room at Huntsville	7,130 02	253 65		7,383 67
Algoma District.	Court House, Gaol and Registry Office, Sault Ste. Marie	10,478 54	7,082 92	3,258 50	20,819 96
"	Residence for Gaoler, Sault Ste. Marie	1,895 95			1,895 95
"	Grand Manitoulin Island three Lock-ups—(Gore Bay, Little Current and Manitowaning)	8,453 36	5,049 28	1,861 15	15,363 79
"	Lock-up at Killarney	954 97	318 00	20 00	1,292 97
"	" Bruce Mines	3,112 48	5 00		3,117 48
"	" Thessalon	844 09	339 70		1,183 79
Thunder Bay District.	—Registry Office and Lock-up, Port Arthur	20,564 99			20,564 99
"	Addition to Gaol and Court House, Port Arthur	15,341 79	62 92	674 37	16,079 08
"	Lock-up at Fort William	7,095 07	462 16	12 00	7,569 23
"	" Silver Islet, Lake Superior	2,304 79			2,304 79
Parry Sound District.	—Registry Office, Lock-up, etc., Parry Sound	8,276 14	7,209 37	1,191 27	16,676 78
"	Lock-up at Magnetawan	585 66	45 74		631 40
"	Lock-up and Court Room at Burk's Falls	5,057 01	483 38	18 50	5,558 89
Nipissing District.	—Lock-up at Mattawa	3,270 16	13 25		3,283 41
"	Lock-up and Court Room at North Bay	10,575 86	4,684 55	123 75	15,384 16
"	Registry Office at North Bay	2,789 95			2,789 95
"	Lock-up at Sudbury	346 73	1,831 70	618 42	2,796 85
Rainy River District.	—Lock-up, Court Room and Gaoler's Residence at Rat Portage	19,417 73	542 44	227 04	20,187 21
County of Haliburton.	Registry Office at Minden	3,749 62		26 55	3,776 17
Lock at Young's Point		30,892 72		300 00	31,192 72
Lock at Balsam and Cameron Lakes		23,959 02			23,959 02
Lock and Works, Mary's and Fairy Lakes		53,350 75		6,595 90	59,946 65
Magnetawan Works.	Lock, Dam and River, and Dam and Slide at Deer Lake	47,607 52	279 36	600 00	48,486 88
Georgian Bay Works		4,417 83	667 54		5,085 37
Landing Pier at Port Elgin		1,000 00			1,000 00
"	Southampton	300 00			300 00
Muskoka Lakes Works		8,179 78		717 16	8,896 94
"	Lock and Bridges at Port Carling	41,200 94	989 77	415 33	42,606 04
"	Cut and Bridges at Port Sandfield	16,842 86			16,842 86
"	Muskoss Falls Works and Bridge at Bala	7,223 96			7,223 96
"	to improve Jonette's Narrows		1,623 92		1,623 92
Nipissing Lake Works		9,182 17			9,182 17
Couchiching Lake Works		427 84			427 84
Mud Lake Works, (Township of Dalton)		1,502 32			1,502 32
Kushog Lake Dam			300 00		300 00
Mississicua Lake Dam				4,707 88	4,707 88
Lake of Bays.—Dredging mouth of River at outlet of			581 82		581 82

Peninsula Creek Improvement	18,290 33			19,007 40
Stony Creek Works, (Township of Ops)	828 25	717 07		828 25
Scugog Lake Works, Dredging at Port Perry	977 53			977 53
Gull and Burnt Rivers Works	68,226 57			70,520 81
Muskoka River Works	38,198 93	300 00	1,994 24	38,198 93
Sydenham "	2,156 26			2,156 26
Nottawasaga "	5,915 09			5,915 09
Kaministiquia "	22,865 02			22,865 02
Scugog " (including Lindsay Lock and Swing Bridges)	83,249 80	2,083 52	4,398 48	89,731 80
Pigeon "	4,999 62			4,999 62
Otonabee "	7,266 66			7,266 66
Balsam "	15,592 95			15,592 95
Wye "	5,176 98			5,176 98
Nation "	10,877 23			10,877 23
Beaudette " (to aid Dredging, etc)		1,500 00	1,500 00	3,000 00
Mississippi River Improvements (below Carleton Place)		1,464 35	1,413 04	2,877 39
Head " (Townships of Laxton and Carden)		976 82		976 82
Moira " (Township of Thurlow)	2,135 22			2,135 22
Trent River Bridge	2,000 00			2,000 00
Washago and Gravenhurst Road	32,792 12			32,792 12
Washago Wharf	489 22			489 22
Portage du Fort Bridge	5,247 99			5,247 99
Des Joachim's Rapids, Bridge and Approaches	5,937 72			5,937 72
Surveys, Inspections, Arbitrations and Awards	42,276 36	480 00	476 95	43,233 31
Maintenance of Locks, Dams, Slides, etc	61,990 49	7,117 99	7,619 87	76,728 35
Roads in Township of Ryerson	7,295 06			7,295 06
Clearings and Log House on Free Grant Lands (Settlers' Homestead Fund)	16,780 75			16,780 75
Aldborough Drainage Works	7,199 02			7,199 02
Brooke "	34,747 73			34,747 73
Delaware "	5,740 93			5,740 93
Dunwich "	10,105 86			10,105 86
Ekfrid, Caradoc and Metcalf Drainage Works	13,667 66			13,667 66
Grey Drainage Works	8,175 47			8,175 47
Moore "	17,091 58			17,091 58
Mosa "	12,714 75			12,714 75
Nissouri West Drainage Works	8,178 50			8,178 50
Raleigh Drainage Works	36,409 64			36,409 64
Russell "	11,543 77			11,543 77
Sarnia "	40,540 55			40,540 55
Sombra "	53,169 04			53,169 04
Tilbury East "	35,297 62			35,297 62
Tilbury West "	31,577 06			31,577 06
Williams East "	2,221 75			2,221 75
Surveys and Drainage of Swamp Lands, Provincial Account	36,448 51			36,448 51
Totals	6,201,493 80	680,686 90	626,029 78	7,538,210 48

DEPARTMENT OF PUBLIC WORKS, ONTARIO.
TORONTO, *January*, 1891.

J. P. EDWARDS,
Accountant Public Works.

No. 2.—Statement of Drainage Debentures purchased by the Government on recommendation of the Public Works Department in January, February and March, 1890.

MUNICIPALITY.	NUMBER OF BY-LAWS	AMOUNT.
		$ c.
Township of Ekfrid	By-law 437, and amending By-law	551 57
" Zone	By-law 252, and amending By-laws 274 and 277	2,349 00
" "	By-laws 264 and 266	699 49
" "	By-law 270	900 00
" "	By-law 273	584 71
" Amaranth	By-law 223, and amending By-law 225	2,348 55
" Mara	By-law 196, and amending By-law 198. (By-law 183 repealed	622 99
" "	By-law 193	500 00
" Moore	By-law 7 of 1889	555 00
" Dereham	By-law 354, and amending By-laws 356 and 358.	723 00
" Warwick	By-law 6 of 1889	368 00
" Osnabruck	By-law 9 of 1888, and amending By-laws 13 of 1889, and 6 of 1890	8,697 77
" Amaranth	By-law 224	1,692 65
	Total	20,592 73

NOTE.—The duties assigned to the Commissioner of Public Works by the Municipal Drainage Aid Act, have been transferred to and vested in the Provincial Treasurer. (*Vide* Statutes of Ontario, Chap. 11, assented to 7th April, 1890).

J. P. EDWARDS,
Law Clerk, Public Works.

DEPARTMENT OF PUBLIC WORKS, ONTARIO,
TORONTO, January, 1891.

No. 3.—Contracts and Bonds entered into with Her Majesty in 1890.

Date.	Service.	Subject of Contract.	Contractors.	Sureties.	——	Amounts.
1890.						$ c.
March 8.	Gull and Burnt Rivers Works.	Timber for dam and slide at outlet of Pine Lake.	Isaac Hunter, of Township of Glamorgan.	John J. Hunter and Joshua Pickens, both of the Township of Glamorgan.	Per M. feet, board measure..	11 75
March 17.	Maintenance of Locks, Dams, etc.	Timber for swing bridge over Lock at Lindsay.	Sadler, Dundas and Company, of the Town of Lindsay.	None	White pine timber per M. feet, board measure	15 00
					White oak timber per M. feet, board measure.....	25 00
April 9. .	Algoma District	Cedar for fencing round gaol yards at Sault Ste. Marie.	William A. Bond, of Sault Ste. Marie.	W. H. Plummer, of Sault Ste. Marie.	Cedar posts, 20 ft. long, per ft.	15
					" 6 "	25
					" 7 "	30
April 30.	Mary's and Fairy Lakes Works.	Timber for reconstruction of lock.	The Utterson Lumber Company (Ltd.), of Toronto.	Andrew Park and George Brady, both of Toronto.	White pine timber per M. feet, board measure.....	15 00
July 3....	Educational Department, Toronto.	Construction of three steam-heating boilers	The Waterous Engine Works Company (Ltd.), of Brantford.	Julius E. Waterous and Frederick T. Wilkes, both of Brantford.	....	4,520 00
July 3....	Asylum for the Insane, London.	Construction of six new steam boilers and removal of and repairs to old boilers.	The Waterous Engine Works Company (Ltd.), of Brantford.	Julius E. Waterous and Frederick T. Wilkes, both of Brantford.	....	8,520 00
July 3....	Asylum for the Insane, London.	Construction of a central boiler house and coal vault.	Frederick W. Schwendimann, of West Drayton.	William Henry Whealey and Robert McWilliam, both of West Drayton.	....	8,274 00

No. 3.—Contracts and Bonds entered into with Her Majesty in 1890.—*Continued.*

Date.	Service.	Subject of Contract.	Contractors.	Sureties.	——	Amount.
1890.						$ c.
July 3	Asylum for Idiots, Orillia.	Construction of four steam-heating boilers and of the steam-heating pipes and radiators for the main front building.	James B. Fitzsimons and Alexander Keith, both of Toronto (Keith & Fitzsimons).	William Scully and Robert Rae, both of Toronto.	....	21,700 00
July 5	Algoma District.....	Construction of fences round gaol yards, Sault Ste. Marie.	Maxime Xaviour Lefebure, of Sault Ste. Marie.	Allan Templeton and William Cunningham, both of Sault Ste. Marie.	....	1,715 00
July 12	Asylum for Idiots, Orillia.	Construction of sheet-iron ceilings in the main front building.	Thomas Douglas, Walter Bell and Asa Matthews, all of Toronto (Douglas Brothers)	Edward J. Cousins and Thomas Wilson, both of Toronto.	. ...	6,950 00
July 14	Blind Institute, Brantford.	Laying water supply pipes and hydrants in grounds.	The Corporation of the City of Brantford.	None	....	2,164 22
July 23	Parliament and Departmental Buildings, and Institutions, Toronto.	Coal and wood.	Charles M. Edwards, of Toronto.	Samuel McAdam and Michael Robinson, both of Toronto.	Scranton or Pittston, large egg, small egg, stove and nut and Briar Hill soft coal, per ton	5 25
					Hardwood, per cord	4 90
					Pine wood, per cord	2 75
					Charcoal, per barrel	1 00
July 24	Normal School, Ottawa	Hard wood and pine wood.	John Heney, of Ottawa.	William O'Reilly and James O'Connor, both of Ottawa.	Hardwood, per cord	4 75
					Pine wood, per cord	3 00

Aug. 4 ...	Normal School, Ottawa.	Coal	John G. Butterworth, of Ottawa (J. G. Butterworth & Co).	William Dudley Ross and Thomas William Kenny, both of Ottawa.	Scranton or Pittston, large egg or grate coal, per ton.	6 20
Aug. 4 ...	School of Practical Science, Toronto.	Setting up two steam-heating boilers, pipes, coils and radiators.	Alexander S. Purdy, William Mansell and Watson Mashinter, of Toronto.	James Morrison and James J. Roe, both of Toronto.	.....	5,145 00
Aug. 4 . .	School of Practical Science, Toronto.	Erection of an additional storey over the wings of main building.	Richard Chalkley and Henry Martin, both of Toronto.	Duncan Robinson and George Gall, both of Toronto.	.....	4,919 00
Aug. 4 ...	Asylum for the Insane, London.	Supply of and laying pipes and hydrants for fire protection.	William P. Turner, of London.	Thomas A. Stevens and James Burns, both of London.	.....	505 00
Sept. 11..	Mimico Asylum	Cottages for an engineer and a farmer, and a piggery.	John Damp, of Toronto.....	John Davis, of Davisville, and Joseph McCausland, of Toronto.	.....	6,710 00
Sept. 11..	Asylum for the Insane, Hamilton.	Addition to coal vaults and construction of a piggery and a slaughter house.	John Dickenson and Edward Dickenson, Junior, both of North Glanford.	Edward Dickenson, Senior, of North Glanford, and John F. Monck, of Hamilton.	.....	10,804 00
Sept. 11..	Asylum for the Insane, Hamilton.	Construction of cast-iron pipes and hydrants for fire protection.	Edward John McQuillan, and Thomas McQuillan, (McQuillan & Company).	John Laxton and William Holbrook, both of Toronto.	....	5,232 00
Sept. 11..	Asylum for the Insane, London.	Erection of a duplicate engine and pump.	Killey-Beckett Engine Company (Ltd.), of Hamilton.	William J. Copp and Harold E. Copp, both of Hamilton.	.....	2,800 00
Sept. 11..	Thunder Bay District.	Construction of hot-air apparatus for gaol, Port Arthur.	The E. & C. Gurney Company (Ltd.), of Toronto.	None	....	390 00

No. 3.—Contracts and bonds entered into with Her Majesty in 1890.—*Continued.*

Date.	Service.	Subject of Contract.	Contractors.	Sureties.	——	Amounts.
1890.						$ c.
Sept. 11	Asylum for Idiots, Orillia.	Water supply pipes and hydrants, steam pump, cisterns, driving and tool house, and a barn.	John Forin, of Belleville.	[illegible] Miller and Edgar F. Cooke, both of Orillia.	....	7,066 20
Sept. 25	Parry Sound District	Furniture and carpentry work, court room, Parry Sound.	Robert Adam, of Parry Sound.	None	.....	175 00
Oct. 22	Mimico Asylum ...	Erection of a stable, carriage house and driving shed.	John Dickenson and Edward Dickenson, Junior, both of North Gladford.	None	.....	2,486 00
Oct. 30	Mimico Asylum	Electric lighting for the grounds.	The Ball Electric Light Company of Canada (Ltd.), of Toronto.	None	.....	985 00
Nov. 18	Asylum for the Insane, Hamilton.	Construction of a sewer to receive sewage from the Asylum, and for maintenance and repairs of same.	The Corporation of the City of Hamilton.	None	....	7,500 00
Nov. 27	Agricultural College, Guelph.	Construction of waggon and woodshed and a fence.	Richard Mahoney, of Guelph.	None	....	300 00
Nov. 27	School of Practical Science, Toronto.	Construction of tile drains.	Alexander J. Brown, of Toronto.	None	....	445 00

Department of Public Works, Ontario,
Toronto, *January*, 1891.

J. P. EDWARDS,
Law Clerk, Public Works.

REPORT

OF THE

COMMISSIONERS APPOINTED

TO ENQUIRE INTO THE

PRISON AND REFORMATORY SYSTEM

OF ONTARIO.

1891.

PRINTED BY ORDER OF THE LEGISLATIVE ASSEMBLY.

TORONTO:
PRINTED BY WARWICK & SONS, 68 AND 70 FRONT STREET WEST
1891.

TORONTO, 8th April, 1891.

SIR,—I have the honour to transmit herewith, for presentation to His Honour the Lieutenant-Governor, the Report of the Commissioners appointed to collect information regarding Prisons, Houses of Correction, Reformatories Industrial Schools etc, with a view of ascertaining any practical improvements which may be made in the methods of dealing with the criminal classes so far as the subject is within the jurisdiction of the Provincial Legislature and Government.

I have the honour to be,
Sir,
Your most obedient servant,

J. W. LANGMUIR.
Chairman.

The Honourable,
J. M. GIBSON, Q.C., M.P.P.,
Secretary for the Province of Ontario.

REPORT

OF THE

COMMISSIONERS APPOINTED TO ENQUIRE

INTO THE

PRISON AND REFORMATORY SYSTEM

OF THE

PROVINCE OF ONTARIO.

TORONTO, 8th April, 1891.

To the Honourable
SIR ALEXANDER CAMPBELL, K.C.M.G.,
Lieutenant-Governor of the Province of Ontario.

May it please your Honour:

The undersigned, appointed by Commission under the Great Seal of the Province, bearing date the Third day of July, A.D. 1890, "to collect information regarding Prisons, Houses of Correction, Reformatories and the like, with a view of ascertaining any practical improvements which may be made in the methods of dealing with the criminal classes in the Province, so far as the subject is within the jurisdiction of the Provincial Legislature and Government, beg leave herewith to submit their report.

The Commission further direct that "The investigation of the subject shall include the following particulars:—

(1) "The causes of crime in the Province.
(2) "Any improved means which may be adopted in the Province for providing and conducting Industrial Schools.
(3) "Any improved means which may be adopted in the Province for rescuing destitute children from a criminal career.
(4) "Any improvement in the management of the County Gaols of the Province and with respect to the classification of prisoners therein.
(5) "The most fitting practical employment of prisoners in the Province.
(6) "The question of indeterminate sentences for offenders against Provincial laws, and
(7) "Any improved way of dealing with tramps and habitual drunkards in the Province."

The powers necessary for the proper discharge of the duties thus imposed upon the Commissioners were given by the same instrument, and they were required—

"Forthwith after the conclusion of such enquiry to make full report to the Lieutenant-Governor touching the matters concerning which the said enquiry is to be made together with a report of all or any of the evidence taken by the Commissioners respecting the same."

The Commissioners having met to take into consideration the best means of discharging satisfactorily the important duties imposed upon them, the Chairman stated that, having regard to the fact that the conduct of the enquiry not only involved the expenditure of money in the visitation of institutions, but necessitated the preparation of statistics by certain officials, he had submitted to the Honourable the Attorney-General an outline of the system on which the Commissioners proposed to proceed. The expenditures for the purpose as well as the system proposed received the approval of the Attorney-General.

This authority having been obtained and such statistical information as was immediately necessary, notice was given through the press that the Commission would hold sessions in the cities of Toronto, Hamilton, Kingston, Ottawa and London and all persons interested in the matters into which inquiry was to be made were invited to attend at the time and places named and state their views. Sheriffs, gaolers and other officials were notified to be present at the sessions held in their districts and give evidence.

It was arranged that having visited Ottawa the Commissioners should proceed to the State of Massachusetts and afterwards to the State of New York to observe the working of the penal and reformatory systems which obtain in those States, and to gather all the information which they deemed useful for the purposes of their enquiry; and that having visited London they should proceed to the States of Michigan and Ohio, and visit the best and most successful of the penal and reformatory institutions of those States, and ascertain as far as possible the special merits of their respective systems.

It was further arranged that they should obtain the evidence of a number of eminent specialists who have devoted much of their lives to the study of prison management as a science.

It was decided that copies of the reports of the best known institutions in the United States should be procured; also such information respecting the management of the principal penal establishments in Great Britain and Ireland, and in other European countries as could be obtained, and copies of the "transactions" or reports of proceedings of the several congresses held in Europe and in the United States of late years to consider the subject of prison reform.

It was considered that when the Commissioners had thus by personal observation and from the evidence of witnesses of experience ascertained the general working and results of the Prison and Reformatory system of Ontario, and had obtained such information respecting the most advanced systems of the United States and those which obtain in Great Britain and Ireland and other countries of Europe as would enable them to institute a proper comparison of all those systems and their results, they would be in a position to consider intelligently the subjects upon which they were required to report.

In order that the evidence might be taken in a systematic way, it was decided that the Chairman should prepare a series of questions to be put to such witnesses as might appear before the Commission.

The following questions were subsequently submitted and approved of as a basis of enquiry to be enlarged as circumstances required, and they are now incorporated in the report in order that the nature and scope of the enquiry may be shown to some extent.

Questions to be put to Gaolers.

(1) When were you appointed gaoler?
(2) What was your occupation before you were appointed?
(3) How many separate and distinct corridors are there in your gaol?
(4) How many airing and exercise yards?
(5) How many cells in your gaol?
(6) How many cells in each corridor respectively?
(7) Are certain corridors used exclusively for the confinement of certain classes of prisoners?
(8) Have you a separate yard for each class of prisoners? If not, for what classes respectively?
(9) What was the lowest number of prisoners in your gaol at any one time in 1889?
(10) What was the highest number in the same year?
(11) What was the daily average?
(12) What number had you under confinement on September 30th, 1889?
(13) Of that number how many were males? how many females?
(14) How many under sixteen years—males and females?
(15) How many were awaiting trial—males and females?
(16) How many were under sentence—males and females?
(17) How many were lunatics—males and females?
(18) How many were detained for other causes—males and females?
(19) Were each of these classes in a separate and distinct corridor?
(20) Did they mix together in the yards?
(21) From your experience and observation are you of the belief that the spread of vice and crime is due largely, or only to a limited extent, to the defective classification and corrupting influences of our common gaols?
(22) Is it possible under existing conditions to make a perfect or only a partial separation and classification of the prisoners in your gaol? e. g.
(23) Are youths of both sexes under the age of sixteen kept entirely separate from the adults? If not, what are the exceptions?
(24) Can you make a complete separation of those awaiting trial from those undergoing sentence and of the civil prisoners from the criminal whether sentenced or not?
(25) How many vagrants and tramps passed through your gaol in 1889?
(26) How many lunatics were committed, and of such how many were afflicted with mild unsoundness of mind or harmless imbecility although committed as lunatics?
(27) Since the establishment of the Central Prison and the Mercer Reformatory and the transfer of prisoners to those institutions have you been able to make a better classification of the prisoners?
(28) What have been the results of such improved classification?

Questions to Sheriffs, Gaol Surgeons and Gaolers.

(29) Would the establishment of a poor house or of a poor house and work house combined, in each county, or group of counties and the removal thereto

of homeless persons, imbeciles, tramps, paupers and habitual drunkards and the removal of all sentenced prisoners to Industrial or Central Prisons and Reformatories enable you to make a very marked improvement in the classification of the remaining prisoners as well as the in discipline of your gaol?

(30) If the sentenced prisoners were removed to central prisons or to reformatories and the harmless insane, tramps and vagrants to poor houses or work houses, could your common gaol with partial reconstruction, be carried on strictly on the cellular or separate system in respect of the remaining prisoners charged with offences and awaiting trial?

(31) From your observation of, and experience with the criminal classes would the adoption of such a system as is described in the following resolutions passed by the Prisoners' Aid Association render a proper classification of prisoners in your gaol less difficult, viz.:

Clause 1. County gaols should be maintained only as places of detention for persons charged with offences and awaiting trial, and should not be used for prisoners after trial and conviction.

Clause 2. County gaols should be conducted strictly on the separate or cellular system.

Clause 3. Persons convicted of crime should not be detained in county gaols, but should be dealt with according to the age and natural proclivities of the criminal.

Secular and Religious Instruction.

(32) What religious instruction is imparted to prisoners in your gaol, and by whom is it imparted?

(33) What secular instruction if any is given?

(34) Have you a library for the use of the prisoners? If so, how many volumes does it contain?

(35) What is the result of such instruction?

Occupation and Employment.

(36) Are the sentenced prisoners employed in any kind of labour or work in your gaol?

(*a*) What work is done by the men?

(*b*) What by the women?

(37) How many men were transferred from your gaol to the Central Prison in 1889?

(38) How many women were transferred to the Mercer Reformatory?

(39) Of the sentenced prisoners who were not transferred to those institutions what proportion were in your opinion physically fit for industrial employment or hard work?

Drunkards in Common Gaols.

(40) How many persons were committed to your gaol during the year 1889 for drunkenness or for drunkenness and disorderly conduct?

(41) What proportion of this class were sentenced to gaol three or more times?

(42) What proportion of those committed were habitual or confirmed drunkards?

(43) Has confinement in gaol under existing circumstances a deterrent or reforming effect on drunkards?

(44) Have you observed the effect of confinement in the Central Prison and the Mercer Reformatory on such prisoners?

(45) As a rule are confirmed drunkards supporters of families; or are they rather a charge on their families?

(46) Could, in your opinion, a considerable number of drunkards be reclaimed by another course of treatment than commitment to common gaols?

(47) Do you think that confinement in an inebriate asylum or some other institution founded for that purpose for periods up to two years would reclaim any considerable number of gaol drunkards?

(48) Would you recommend confinement in the Central Prison for periods up to two years as a means of reclaiming those who have been proved habitual drunkards by their having been convicted of drunkenness and disorderly conduct more than three times?

Industrial Schools and Reformatories.

(49) State the number of youths that have been committed to your gaol during 1889, and the number that have been sent from your gaol during that year to

The Penetanguishene Reformatory for Boys, and
The Mercer Reformatory for Girls.

(50) Have you observed the effect of such confinement in those institutions upon the youths sent to them?

(51) Do you know of any cases in which youths discharged from either of those reformatories have been subsequently committed to gaols?

(52) Do you think that there is need in the Province for other institutions for young persons showing a tendency to crime from destitution, vicious dispositions, evil influences, parental neglect, or other causes? If so, what kind of institutions would you recommend?

(53) If you would recommend Industrial Schools, is it your opinion that there should be one for each city or county town with the county attached, or one for a number of counties grouped together?

(54) Give your views of the following recommendations in the Prisoners' Aid Association report:—

Clause 4. A boy under fourteen years of age not previously vicious should be restored to his parents upon their giving a guarantee of his good conduct. Failing this, he should be sent to an Industrial School.

Clause 5. A boy under sixteen years of age, having a natural tendency towards crime, or being convicted of a second offence, should be sent either to a reformatory direct or to an industrial school on trial, according to circumstances; but a special court should be organized to deal with such cases, as well as with females charged with light offences. A boy should never be brought to open police court, nor be sent to a county gaol.

Clause 6. Industrial schools and reformatories should not be considered as places for punishment, but should be utilized wholly for the reformation of character. The young persons sent to the institutions should not be committed for any definite period, but they should be detained until reformation is attained irrespective of the time required. The officials of those institutions should be carefully selected, preferably by a system of examination and promotion, and without reference to party or social influence.

(55) From your observation and study of the character and habits of vicious and criminal youths which system of treatment do you think best calculated to accomplish the objects sought?

(*a*) The industrial school, on the congregate system, under which from 50 to 150 youths are brought together in one establishment under the most careful supervision possible; or,

(*b*) A nearer approach to the household system, under which selected youths not exceeding ten in number would be placed under one roof and the family relation be maintained to the fullest extent possible; or,

(*c*) The placing of one or two youths in a family specially selected for the purpose under the supervision of visitors.

(56) Do you consider that the congregate or the household system, thus defined, could be effectively carried out in this Province under the care and supervision of the municipal authorities?

(57) If not under municipal control, in what other way could either of these systems be satisfactorily carried out?

(58) What plan would you suggest for placing and apprenticing youths after they had passed their course in an industrial school or reformatory?

Causes of Crime.

What, in your opinion, are the chief causes of vice and crime in the Province?

The following questions to be put to the managers of penal and charitable institutions in the United States and other officials and specialists, were prepared by the Chairman and adopted by the Commissioners:—

1. Should a prison, in your opinion, be self-supporting?

2. Do you regard labour as an important element in a prison system? If so, what are your reasons therefor?

3. What laws regarding prison labour are on your statute book in this state?

4. What, in your opinion, is the most fitting employment for prisoners sentenced to penitentiaries or State prisons?

5. What system of labor have you adopted in the State penitentiary? How long has it been in operation? and what have been the results financially, and from a reformatory standpoint?

6. Has the prison labour controversy affected your legislation in respect to the methods of employing prisoners? If so, how, and to what extent?

7. Are you opposed to the contract system? If so, why?

8. What is your ideal system of employing prisoners in penitentiaries or State prisons?

9. Would you, under certain circumstances, favor a system partly contract and partly piece-work?

10. Have you any provision of law or any practice, whereby a prisoner is entitled to a portion of the sales' value of the product of his labour? If so, what have been the results of that system?

11. What is the percentage in value of prison made products (*a*) as compared with the total value of similar products of free labour? (*b*) as compared with the value of all the manufactured products of free labour in the State?

Common Gaols.

12. Are your district or common gaols under the control or direction of the State or of the counties?

13. If under the control of the counties would they, in your opinion, be improved in general management and discipline by placing complete control in the State?

14. Have you the means of employing prisoners in your district or common gaols? In your houses of correction?

15. Have you any gaols in your State used exclusively for the confinement of prisoners awaiting trial?

16. Have you any prisons in your State in which prisoners are confined on the strictly separate or cellular system? If so, to what class or classes of prisoners is that system applied?

17. Are you of the opinion that the cellular or separate system would prove effective in the reformation of prisoners? or, failing that, would it have a deterrent effect with regard to the commission of crime?

Indeterminate Sentences.

18. Please define what is termed an indeterminate sentence?

19. To what class of prisoners are such sentences deemed applicable?

20. Have you legislation providing for such sentences in your State?

21. Could the system, in your opinion, be applied in a prison for male adults in which the prisoners are confined for periods varying from one month to not exceeding two years, for offences of greater or less gravity, many of the prisoners being regarded as incorrigible offenders?

22. Could the system be advantageously applied in the cases of youths under the age of fourteen years sentenced to a reformatory?

23. Could the system be applied with advantage indiscriminately to all prisoners sentenced to confinement in a penitentiary for periods varying from two years to life, irrespective of the offences committed? or, is it indispensable to the successful carrying out of the system that a selection of prisoners should be made, having regard to age, to the nature of the offences for which each had been convicted; to the number of previous convictions in the case of each, and the probable susceptibility of each to reformatory influences?

24. Would the system, in your opinion, tend to produce merely good prison conduct as a means of shortening sentences, without producing thorough moral reformation?

25. Would a system of probational discharge or parole, with power to re-commit summarily if the paroled prisoner relapsed into criminal practices, render the system of indeterminate sentences more effectual as a means of reformation?

Industrial Schools and Reformatories.

26. What is your system of dealing with youths who from vicious surroundings, neglect, or evil influences of any sort, are drifting or being forced into a criminal career?

27. What, in your opinion, are the chief causes of children becoming vicious and criminal?

28. Do you think there is need for other institutions than reformatories for

youths having a tendency to viciousness or in danger of falling into crime, from destitution, neglect, vicious propensities, or other causes? If so, what kind of institutions would you recommend?

29. What is your opinion of the recommendations made in the report of the Ontario Prisoners' Aid Association, clauses 4, 5, 6?

30. From your observation and study of the character and habits of vicious and criminal youths, which system of treatment do you think best calculated to accomplish the objects sought, viz:—

(*a*) The industrial school, on the congregate system, under which from 50 to 100 youths are brought together in one establishment under the most careful supervision possible, or

(*b*) A nearer approach to the household system, under which selected youths not exceeding ten in number would be placed under one roof, and the family relation maintained to the fullest extent possible? or,

(*c*) The placing of one or two youths in a family specially selected for the purpose under the supervision of visitors?

31. Do you consider that the congregate or the household system thus defined, could be effectively carried out under the care and supervision of the municipal authorities?

32. If not under municipal management, in what other way would either of these systems be successfully carried out?

33. What plan would you suggest for placing youths after completing their course in the industrial school or reformatory?

General Subjects.

34. What, in your opinion, are the chief causes of crime in your State?

35. What is your system of dealing with those who are habitually drunk and disorderly, and are frequently committed to gaol?

36. Have you any inebriate asylums in your State? If so, for what classes are they used and with what results?

37. Has any plan been adopted in your State for the treatment, with a view to reformation, of drunkards who cannot afford to pay for treatment in private inebriate asylums? or, of those who have been frequently committed to gaol for drunkenness?

38. What system have you of dealing with tramps and vagrants? What have been the results of your method?

Visits to Institutions—Taking of Evidence.

The Commissioners held their first sessions at the Court House, in the city of Hamilton, on the 9th of July and the two following days. The sheriffs and gaolers of the counties of Wentworth, Welland Lincoln, Haldimand, Norfolk and Brant, the surgeon of the Hamilton gaol, and the chief of police of the city of Hamilton having been duly notified, attended and gave evidence.

Rev. Thomas Geoghegan, rector of St. Matthew's church, Hamilton, Mr. Joseph R. Mead, member of the Prison Committee of the Diocese of Niagara, Mrs. E. H. Bradley, of London, England, Rev. J. S. Ross, D.D., Centenary Methodist church, Hamilton, and Mr. J. A. Stoddard, also appeared and gave evidence. Mr. Crerar, Crown Attorney for the County of Wentworth, submitted a paper regarding the transfer to the Central Prison of persons sentenced to confinement in the common gaols, and regarding the imposition of long-term sentences by police magistrates

The Commissioners inspected the Wentworth county gaol and the Hamilton city police station and lock-up. Dr. Rosebrugh went to Brantford to inspect the county gaol there.

On July 15th the Commissioners proceeded to Kingston, and immediately after their arrival visited and inspected the penitentiary. They afterwards took the evidence of the Warden.

On July 16th and 17th they sat in the Court House, in the city of Kingston. The sheriffs and gaolers of the counties of Frontenac, Hastings, Prince Edward, and Lennox and Addington, attended and gave evidence. Mrs. Chown, President of the Women's Christian Association, Miss A. H. Chesnut, Bible woman, and Rev. Mr. Cartwright, Chaplain of the penitentiary, also gave evidence.

The Commissioners visited and carefully inspected the county gaol and the city police station and lock-up. At the police station they took the evidence of the chief of the Kingston police.

On the afternoon of the 17th the Commissioners proceeded to Ottawa. During the forenoon of the 18th they visited the Ottawa gaol. They afterwards took evidence at the Court House. The sheriffs and gaolers of Carleton, Prescott and Russell, and Leeds and Grenville, the acting sheriff and gaoler of Renfrew, and the gaoler of Stormont, Dundas and Glengarry, who had been all duly summoned, attended and were examined. Mr. J. G. Moylan, Inspector of Penitentiaries, and Rev. J. W. Bogart, of St. Alban's Episcopal church, Ottawa, also gave evidence. The police station was inspected, and the Chief of Police was examined.

The Commissioners having completed their enquiry in Ottawa immediately proceeded to Boston, Mass. They arrived in the latter city on Monday afternoon, and at once made arrangements to secure interviews with the managers and other officers of the penal and charitable institutions of the State. On Tuesday forenoon Mr. Frederick G. Pettigrove, secretary of the commissioners of prisons and charities of the State of Massachussetts, called on your Commissioners and commenced a very full explanation of the penal and reformatory systems now in operation in that State. This explanation he completed at a subsequent session. In the afternoon the Commissioners proceeded to Concord, Mass., to see the State reformatory and make enquiry into its working. They were courteously received by the superintendent, Col. Gardiner Tufts, who showed them through the institution and explained very fully the principles on which it is managed and all the means employed for the reformation of the criminals. On their return to Boston they again met Mr. Pettigrove, who completed his explanation of the State system and gave evidence as to the best manner of dealing with children in danger of becoming criminals; with juvenile offenders and with habitual drunkards.

On Wednesday, July 23rd, the Commissioners went by the early morning train to Monson, to visit the State primary school. On their return to Boston they met at the State House, by appointment, Miss Putnam, who has devoted much of her life to the work of saving children, and obtained her views as to the best mode of rescuing children who are in danger, and of raising the fallen, and as to the working of the Massachusetts system.

On Thursday morning the Commissioners went to Westborough to visit the State reformatory for boys, sometimes called the Lyman school. The system on which the school is conducted, its working and its results were explained by the superintendent, Mr. Theodore Chaplin and by Miss Putnam. The Commissioners returned to Boston early in the afternoon. Mr. Langmuir, attended by the stenographer, went to the State House to take the evidence of Mr. Wrightington, Secretary of the Board of State Charities, who has had large experience in the treatment of juvenile offenders, and Messrs. Drury, Rosebrugh and Anglin visited

the State prison at Charleston and the gaol and the house of correction of the county of Middlesex at Cambridge. Full explanation of the system followed in the State prison was given by the warden, Col. Russell, who also gave his views on the question of prison labour and as to causes of crime. The officer in charge of the Cambridge house of correction also furnished valuable information.

On Thursday night the Commissioners, except Dr. Rosebrugh, left Boston for New York city. On Friday morning, having obtained the necessary authorization, they went to Blackwell's Island. Col. Pillsbury, the warden, conducted them through the workshops of the penitentiary and explained the system on which this city institution, is managed. The Commissioners afterwards visited the workhouse, a city institution on the same island, to which several hundred misdemeanants were committed. They returned to the city in time to take the afternoon train for Elmira.

On Saturday morning they arrived at the Elmira reformatory for young men. They were received very kindly by Mr. Brockway, the superintendent, who devoted the whole day to the task of explaining the principles of his system, and its methods and results, and in showing them the prisoners when engaged in the workshops, in the school-rooms, in the gymnasium, and in military exercises.

Leaving Elmira on Saturday night they reached Toronto on Sunday.

At the next meeting of the Commission Dr. Rosebrugh, who had visited the Massachussetts industrial school for girls, at Lancaster, near Clinton, submitted his report; see paper "A" in Appendix.

By direction of the chairman the secretary invited Dr. Barnardo who was about to leave for England to give evidence before the Commission respecting his work of bringing boys to Canada and placing them in the houses of farmers and others, and on August 4th Dr. Barnardo attended and gave evidence accordingly.

On the afternoon of Friday, August 8th, the Commissioners went to Penetanguishene. On Saturday morning they visited the reformatory for boys at that place, inspected the buildings and saw the boys in the workshops, the garden, the farm, the farm buildings, in the play-ground and at their dinner. The evidence of Mr. McCrosson, the superintendent, was taken. In the evening of the same day the evidence of Dr. Spohn, surgeon of the reformatory, was taken. On Sunday morning the Commissioners attended divine service at the reformatory. They returned to Toronto by the early train on Monday.

On August 15th the Commissioners went to Mimico to visit the industrial school. They were shown through the cottages, the workshops, kitchen, laundry and dormitories, through the farm buildings and over the farm by the superintendent and they saw the boys at their various employments and amusements. They afterwards took the evidence of the superintendent as to the principles on which the institution is managed, the methods pursued and the results.

Having been duly authorised by Order in Council to prosecute their enquiries in the London district of Ontario, and in the States of Michigan and Ohio, the Commissioners on August 19th went to London. The sheriffs and gaolers of the counties of Kent, Bruce, Huron, Middlesex, Elgin and Oxford, the sheriff of the county of Essex and the gaoler of the county of Perth obeyed the summons requiring them to appear and give evidence. Dr. Bucke, of the London lunatic asylum, and the chief of the London police also gave evidence. This occupied the Commission during the 20th and 21st. The Commissioners inspected the county gaol and a committee visited the police station and lock-up.

On August 22nd the Commissioners proceeded to Detroit, Mich. Arriving there early in the afternoon they visited the house of correction as soon as arrangements for that purpose could be made. They were received by the

superintendent, Captain Nicholson, who showed them the cells, workshops and other departments, and afterwards explained fully how this institution which yields a considerable revenue to the city is managed, and what the reformatory effects of his system are. He also gave his opinions on several of the questions of which the Commissioners sought the solution.

On the 23rd the Commissioners went to Lansing to visit the M chigan state reformatory for boys.. They found the superintendent, Mr. Gower, as courteous and as willing to assist them in their enquiries as were the managers of all the other institutions visited by them. He showed them through the cottages, showed them the boys at school, in the workshops, on the farm and at dinner, and explained fully his system, which differs in some important particulars from the systems obtaining in other reformatories. Mr. Donovan, a member of the board of control of the institution also made a very interesting statement. In the evening the Commissioners returned to Detroit, which they reached in time to take the steamboat for Cleveland.

On the 24th the Commissioners visited the Cleveland workhouse, examined the institution and were present at a religious service held in the chapel. The superintendent, Mr. W. D. Patterson, afterwards described at length the number and character of the prisoners, the nature of the offences for which they were committed, the terms of imprisonment, the principles on which the workhouse is managed, the kind of work done and the means employed to obtain satisfactory results. To the workhouse is attached the house of refuge for boys and this also was visited.

On the 25th the Commissioners went from Cleveland to Mansfield, O. There they visited the gaol, which has been constructed for carrying out the cellular system and a police lock-up in course of construction on the same principle. They also visited the Intermediate Prison, a large and handsome structure, not yet completed, which is to serve as a State reformatory, on the lines of the Elmira system, for young men who have been convicted of felony only once. They also took the statement of General Brinkerhoff as to the best mode of constructing and managing prisons and gaols, the best mode of working for the reformation of the fallen and of saving by prevention those who are in danger of becoming criminals. General Brinkerhoff did all in his power to aid the commissioners in their enquiries. Several other gentlemen interested in the work of prison reform stated their views and rendered valuable assistance. The Commissioners left Mansfield by the evening train for Columbus, O.

On the morning of the 26th Mr. Langmuir and Dr. Rosebrugh went from Columbus to Circleville, O. to see a county gaol recently constructed which was said to be a model of what gaols for carrying out the cellular system should be. Their report marked "B" will be found in the appendix. The other Commissioners, accompanied by Rev. Dr. Byers, secretary of the board of State charities, visited the city police station and lock-up at an early hour and afterwards the county gaol and the State prison, or, as it is there called, the penitentiary. At the penitentiary they were shown through the extensive workshops and they saw the prisoners at work. They examined the cells, the bathing apparatus and other parts of the building and saw the prisoners at dinner. They afterwards took the evidence of the warden as to the number of prisoners, the crimes of which they had been convicted, the terms of imprisonment and the working of the law which has established in this institution the system of indeterminate sentence and parole. They found here the contract system and the State account system of carrying on work in operation and they ascertained the views of the warden as to the advantages and disadvantages of each. They also ascertained the views

of the warden on the subject of prison and reformatory management generally. They afterwards took the evidence of Dr. Byers as to the construction and management of prisons and reformatories; the changes which have been made in the laws of the State relating to such institutions; the scope and operation of existing laws and the changes that are still desirable, especially in the laws relating to the parole system and the modes of dealing with juvenile offenders and indigent or neglected children; also as to the causes of crime and the possibility of reforming confirmed criminals.

At 9.30 p.m. the Commissioners left Columbus for Toronto.

On September 10th the Commissioners met at Toronto. Several matters were discussed. Dr. Roseburgh submitted a report of what he had seen of the method of dealing with juvenile offenders in Boston when they are arrested, and afterwards a report of what he had seen of the management of the Wayfarer's Lodge in that city: a report of what he had learned in an interview with the general manager of the system on which the Burnham industrial school, near Troy, N.Y., is conducted and of the work done there. (See papers marked "C, D and E" in the appendix.)

It was agreed that the chairman should consult the Honourable the Attorney General as to the expediency of sending one or more members of the Commission to attend the Congress of the National Prison Association of the United States, to be held at Cincinnati, O., commencing on September 25th and continuing to October 1st.

It was afterwards arranged that the secretary should attend the Congress. His report (paper G) is published in the appendix.

The Commission met on October 25th and visited the Toronto gaol, which they inspected very carefully.

The Commission held a public session in the city of Toronto, commencing on October 29th. The sheriffs and gaolers of the counties of Grey, Dufferin, Halton, Waterloo, Wellington and Northumberland and Durham; the acting sheriff and the gaoler of the county of Simcoe, and the gaolers of the counties of York, Ontario, Peel and Peterborough appeared in obedience to summons and gave evidence. Dr. Clark, medical superintendent of the Toronto lunatic asylum, and Dr. Richardson, surgeon of the Toronto gaol, were also examined.

Mr. Pell, secretary of the Associated Charities, gave evidence and Mr. W. A. Douglas read and submitted a paper as to the causes of crime.

Mr. John Cameron, gaoler of Woodstock, Mr. Kitchen, gaoler of Brantford, and Mr. Coulson, gaoler of Welland, appeared on behalf of the Gaolers' Association to state what changes they think should be made in the construction and management of gaols and the construction of gaolers' dwellings, and what changes as to the salaries, classification and promotion of gaolers they think desirable. The Commission adjourned on October 31st.

The Commission resumed its sittings in Toronto on November 12th. Mr Francis S. Spence, secretary of the Dominion Alliance, for the suppression of the liquor traffic; Mr Robert Christie, inspector of prisons. Mr. James Massie, warden of the Central prison, Mr W. H. Howland, superintendent of the Mercer reformatory Sunday school; Lieut.-Col. Grasett, chief of the Toronto police; Mr. J. J. Kelso, secretary of the Humane Society; Mr. George Alfred Barnett, superintendent of the News boys' home, Mrs. O'Reilly, superintendent of the Mercer reformatory, and Miss Elliott, teacher in the refuge for girls were examined.

Rev. J. W. Baldwin, rector of All Saint's Church; Hon. G. W. Allan, speaker of the Senate, and Dr. Goldwin Smith, appeared as delegates from the Associated Charities of Toronto to present the views of the Association respecting the best mode of dealing with tramps and vagrants.

Mr. D. J. O'Donohue appeared as representative of the Trades and Labour Council and stated the views of that body as to the introduction of technical training in the public schools; as to the industrial training of the inmates of industrial schools and reformatories; as to the work on which the inmates of the Central prison should be employed, and as to the effects of assisted emigration, and the introduction of boys and girls from reformatory institutions of Great Britain, on the volume of crime and the number of criminals in Canada.

On the afternoon of November 12th the Commissioners inspected the Central prison, examining all parts of the building carefully under the guidance of the warden, and seeing the prisoners engaged in the workshops and on the grounds. They afterwards visited the Andrew Mercer reformatory for women, and the Refuge for Girls, and examined all parts of these institutions, accompanied by the assistant superintendent.

The Commissioners held several meetings to consider what their report should be; but it was thought advisable that the Protestant and Catholic chaplains of the Reformatory at Penetanguishene should be examined, and also Mrs. Coady, Assistant Superintendent of the Mercer Reformatory for Women, before the taking of evidence was closed. Therefore they were invited to appear at a session to be held in Toronto, on the 8th of December and the subsequent day. Mrs. Coady and Mr. Laird were examined on the 8th, on which day also Mr. M. F. G. Round, Corresponding Secretary of the Prison Reform Association of New York, and founder and superintendent of the Burnham Reformatory for Boys in that state, attended and gave evidence. On the 9th Mr. Pattyson, one of the Protestant chaplains of the Reformatory for Boys, appeared and gave evidence, speaking for himself and Rev. Mr. Currie. Rev. Mr. Kingston wrote that he was prevented from attending by serious illness in his family. Rev. Mr. Gibbons, the Catholic chaplain, was prevented by his religious duties from attending, the 8th of December being a holiday of obligation in the Catholic Church. The evidence of Mr. Massie, Warden of the Central Prison, was completed on the 9th.

The Commissioners also thought it desirable to visit the State Industrial School at Rochester, N.Y. Accordingly Messrs. Langmuir, Drury and Anglin left Toronto by the 4.55 p.m. train, on December 12th. They arrived at Rochester after midnight, and next morning visited the school. They spent the whole day in inspecting the workshops, play-grounds, dormitories, kitchens, dining-rooms, and other parts of the school for the grown boys, the school for the junior boys, and the school for girls, looking at the boys at work, at play, in the dining-room and the drill-rooms, and receiving an explanation of the system and its working. The evidence of Mr. Murray, the Superintendent, and of Miss Craig, Superintendent of the Girls' Department, was taken at length.

Dominion and Provincial Jurisdiction in Respect to Criminals.

Having thus briefly stated what official visitations the Commissioners made and what methods they adopted in obtaining evidence, and in gathering information regarding the matters into which it was their duty to make enquiry, it becomes necessary for the better understanding of the conclusions at which they have arrived, to state what are the powers, duties and responsibilities of the Dominion and Provincial governments respectively, with regard to the administration of justice and the custody and care of criminals as settled by the British North America Act; what was the extent, volume and character of crime in the Province when that Act went into operation; what they have been since; what proportion of the criminals and what classes of criminals became a charge on the Province;

what institutions for the custody, care and reformation of these criminals were given to the Province, and what penal and reformatory institutions the Province has since established.

The British North America Act, Sec. 91, provides that "The Legislative authority of the Parliament of Canada extends to * * *

Sub-Section 27, the Criminal Law, except the constitution of Courts of Criminal Jurisdiction, but including the procedure in criminal matters.

Sub-Section 28.—The establishment, maintenance and management of penitentiaries."

Section 92 of the same Act, provides that the Legislature of each Province may exclusively make laws in relation to

Sub-Section 6.—"The establishment, maintenance and management of public and reformatory prisons in and for the Province."

Sub-Section 7.—"The establishment, maintenance and management of hospitals, asylums, charities and eleemosynary institutions in and for the Province other than marine hospitals."

Sub-Section 14.—"The administration of justice in the Province, including the constitution, maintenance and organization of provincial courts, both of civil and of criminal jurisdiction, and including procedure in civil matters in those courts."

Sub-Section 15.—"The imposition of punishment by fine, penalty or imprisonment, for enforcing any law of the Province made in relation to any matter coming within any of the classes of subjects enumerated in this section."

Section 96 of the same Act provides that the Governor-General shall appoint the Judges of the Superior, District and County Courts in the Provinces, except the Courts of Probate in Nova Scotia and New Brunswick.

Section 99 provides that the Judges of the Superior Courts shall hold office during good behaviour, but shall be removable by the Governor-General on address of the Senate and House of Commons, and

Section 100 provides that the salaries, allowances and pensions of the Judges of the Superior, District and County Courts shall be fixed and provided by the Parliament of Canada.

The appointment of Justices of the Peace, Police Magistrates and District Magistrates was left to the Provincial authorities.

This division of powers and duties has not worked satisfactorily in all respects. The Act does not define the meaning of the word "Penitentiary," and the question has been before the Courts. The Act does not say where the power of pardoning or of commuting or of remitting penalties should rest. This power the Dominion Government contends, being of the prerogative, rests exclusively with the Governor-General as representative of the Queen. The Government and Legislature of the Province of Ontario contend that the Lieutenant Governor-in-Council has the power to remit or commute penalties imposed for breaches of any Acts of the Provincial Legislature, and this question is now before the Courts.

The Dominion Parliament has enacted that criminals sentenced to imprisonment for two years or any longer period should be confined in the penitentiaries, and that those sentenced to imprisonment for any shorter period should be confined in the provincial prisons, reformatories and common gaols.

Character and Volume of Crime in Ontario.

The extent of the burden thus imposed upon this Province and its municipalities as exhibited by the number of prisoners that passed through the common gaols in each year from September 30th, 1868, to September 30th, 1889; the increase in the number of commitments each year, and the proportion such commitments bear to the whole population of the Province are shown in the following table.

Table No. 1.

	Men over 16 years of age.	Boys under 16 years of age.	Women over 16 years of age.	Girls under 16 years of age.	Total.	Population of the Province.
1869	3599	294	1680	82	5655	1,618,400 estimated.
1870	4215	319	1737	108	6379	1,620,851 actual.
1871	4586	329	1642	58	6615	
1872	5046	281	1615	56	6958	
1873	5745	323	1735	74	7877	
1874	7298	377	1746	67	9488	
1875	8048	389	1566	70	10073	1,770,000 estimated.
1876	9005	434	1727	70	11236	
1877	11053	542	1824	62	13481	
1878	9537	480	1959	54	12030	
1879	8995	416	1756	53	112.0	
1880	8829	549	1863	59	11500	1,923,228 actual.
1881	7007	468	1681	73	9229	
1882	7286	522	1750	62	9620	
1883	7858	423	1551	48	9880	
1884	9858	458	1719	46	12081	
1885	9419	450	1507	50	11426	2,100,000 estimated.
1886	8831	352	1424	38	10645	
1887	8996	409	1574	38	11017	
1888	10060	551	1778	65	12454	
1889	10349	451	1685	46	12531	2,230,000 estimated.

The following table shows the numbers committed to the common gaols in the years 1869, 1875, 1880, 1885 and 1889, and the offences with which they were charged, and also the numbers that were convicted and sentenced in the years 1880, 1885 and 1889:—

Table No. 2.

	Number of Prisoners Committed.					Number of Prisoners Sentenced.		
	1869.	1875.	1880.	1885.	1889.	1880.	1885.	1889.
1. Crimes Against the Person.								
Assault, common	485	666	623	672	534	452	443	358
Assault, felonious	46	68	85	169	197	46	97	115
Cutting and wounding, stabbing, and shooting with intent	31	73	63	46	138	32	28	60
Rape, and assault with intent	27	57	44	68	39	14	30	12
Murder	38	37	42	25	31	5	2	7
Manslaughter	16	12	7	12	18	3	8	4
Attempt at suicide		5	9	5	9	5	2	2
Miscellaneous	42	50	31	46	2	19	21	6
	685	968	904	1043	968	576	631	564

TABLE No. 2.—*Continued.*

	Number of Prisoners Committed.					Number of Prisoners Sentenced.		
	1869.	1875.	1880.	1885.	1889.	1880.	1885.	1889.
2. Crimes Against Property.								
Arson and incendiarism	34	65	31	35	51	13	12	16
Burglary	26	54	93	51	76	48	29	31
Counterfeiting and passing counterfeit money	16	6	15	10	4	9	4	2
Destroying and injuring property	29	96	130	112	86	103	79	60
Embezzlement	10	14	23	32	17	11	21	6
Forgery	22	33	59	60	49	17	22	20
Fraud, and obtaining money or goods under false pretences	52	99	101	149	125	44	62	50
Horse, cattle, and sheep stealing	44	85	70	73	81	33	45	46
Housebreaking and robbery	68	26	103	146	161	58	70	84
Larceny	1019	1602	1669	1589	1606	1057	1027	1000
Receiving stolen goods	19	33	42	58	48	16	18	26
Trespass	25	72	123	222	329	99	186	270
Miscellaneous	43	58	73	97	.....	54	49	....
	1407	2253	2523	2614	2636	1562	1624	1611
3. Crimes Against Public Morals and Decency.								
Bigamy	9	9	5	13	16	3	5	10
Inmates and frequenters of houses of ill-fame	29	123	246	172	136	108	73	54
Keeping houses of ill fame	56	49	134	85	103	97	57	50
Perjury	6	19	27	19	25	9	4	4
Seduction	11	2	..	2	19	..	..	1
Indecent assault and exposure	8	36	40	40	76	29	25	46
Miscellaneous	3	77	50	45	59	9	23	37
	122	315	492	376	434	255	187	202
4. Offences Against Public Order and Peace.								
Abusive and obscene language	34	76	95	44	70	86	32	47
Breaches of peace, breaches of by-laws, escapes from and obstructing constables	79	99	109	117	163	79	74	102
Carrying unlawful weapons	4	8	34	29	29	38	22	29
Deserting employment	74	82	27	3	6	8	1	5
Drunk and disorderly	1793	3663	3795	3696	4777	2322	2861	3359
Selling liquor without license, and selling or giving it to Indians	24	33	115	60	157	110	51	151
Threatening and seditious language	75	35	48	47	40	32	25	12
Vagrancy	783	1641	2210	2455	2614	1317	1567	1226
Miscellaneous	20	239	207	220	316	159	124	250
	2886	5876	6640	6671	7722	4643	4757	5201
5. Other Causes for Which Persons Were Detained as Prisoners.								
Contempt of Court	50	77	180	120	134	.	102	114
Debtors	78	66	86	63	107	...	.	...
Detained as witnesses	22	17	18	18	49	.	.....	.
Lunatics and persons dangerous to be at large	271	323	346	433	437	.	.	..
Non-payment of fines and costs	30	41	..	..	..	.	.	.
Want of sureties to keep the peace	104	137	111	88	45	.	.	...
	555	661	741	722	772	.	..	114
Total number of persons committed for the respective years	5655	10073	11300	11426	12531			
Total number convicted and sentenced	.....	.....	.....			7036	7301	7692

The official returns do not show the numbers sentenced previous to 1869

The prisoners convicted and sentenced—taking every fifth year—were disposed of as follows:—

TABLE No. 3.

	1875.	1880.	1885.	1889.
Sentenced to Kingston Penitentiary	165	171	175	172
" to Reformatory for Boys	67	82	54	79
" direct to Central Prison	145	418	498	475
" to common gaols and subsequently transferred to Central Prison	271	156	261	276
" direct to Reformatory for Females		6	103	98
" to common gaols and subsequently to Reformatory for Females	.....	32	40	30
" to the common gaols and there detained until expiration of sentence (or payment of fine)	5613	6171	6170	6562
Totals	6261	7036	7301	7692
THE OTHERS SENT TO GAOL DURING THE YEAR WERE:—				
Acquitted upon trial	2912	2830	2800	2906
Discharged without trial	.....	1088	1067	1066
Committed on civil process	...	398	361	383
As lunatics, etc.	611	346	397	444
Otherwise disposed of	159	102	..	60
	10,073	11,300	11,426	12,531

The periods for which those convicted were sentenced to imprisonment give an idea of the gravity of the offences of which the prisoners were found guilty:—

PERIODS OF SENTENCES.

TABLE No. 4.

	1875.	1880.	1885.	1889.
For periods under 30 days	2166	2678	2971	3117
Over 30 days to 60 days	1754	2219	2160	2248
For 60 days or two months	730	724	550	659
Over 2 months to 3 months	306	424	379	466
Over 3 months to 4 months	199	155	200	181
Over 4 months to 5 months	52	32	79	58
Over 5 months to 6 months	378	351	448	428
Over 6 months to 9 months	48	59	63	71
Over 9 months to 1 year	52	96	105	99
Over 1 year to 2 years	148	60	110	113
Over 2 years and up to 3 years in Penitentiary	.....	105	119	65
Over 3 years in Penitentiary	.....	66	66	102
For periods of any length in the Reformatory for Boys	67	82	54	81
Sentenced to death and executed	.....	3	1	.....
Sentenced to death and sentence commuted	6	.....	.....	1
Sentenced to death and committed suicide	.....	2	.....	.....
Sentenced to imprisonment with corporal punishment	5	.....	3	3

The official report for 1875 states in one place that the number sent to the Penitentiary was 165; in another table after stating the number sentenced for over one year up to two years it adds "over these periods and including those sent to the Penitentiary, 129."

The number of persons remaining in custody in the various penal and reformatory institutions of the Province on the 30th September of each fifth year, were as follows :—

TABLE No. 5.

——	1870.	1875.	1880.	1885.	1889.
In the common gaols	435	703	596	623	675
In the Central Prison	.....	206	305	360	352
In the Reformatory for Boys, Penetanguishene	165	173	214	220	210
In the Reformatory for Females and Refuge for Girls	.....	.....	38	149	131
In the Dominion Penitentiary, Kingston	686	509	696	525	573
Totals	1286	1597	1849	1877	1941

The following statements show the movement of population in the penal and reformatory institutions within the Province :—

CENTRAL PRISON.

TABLE No. 6.

——	1874.	1875.	1880.	1885.	1889.
In custody at commencement of year	145	275	311	335	346
Committed during the year	.....	426	560 2	761	739-3
Total number in custody during the year	.....	701	873	1096	1088
Discharged on expiration of sentence	.....	453	537	704	705
By remission of sentence	.....	5	17	4	9
Escaped	.....	7	3	3	7
Otherwise	.....	30	11	25	24
Sentenced direct	.....	.....	420	513	510
Transferred from common gaols	.....	.....	140	214	229
Highest number any one day in prison	.....	.....	.....	444	434
Average per day	.....	.....	.....	359	372
Remaining at end of the year	275	206	305	360	352

Of the 739 prisoners sent to the Central Prison during the year 1889, 217 were sent for six months, 351 for less than six months, only 171 for more than six months: of these 62 were sent for eighteen months or upwards; two years, less one day, being the longest sentence. Fifteen were discharged on payment of fine in 1885 and seven in 1889.

REFORMATORY FOR BOYS.

TABLE No. 7.

——	1868.	1870.	1875	1880.	1885.	1889
Admitted during the year	59	41	71	80	51	85
Discharged	50	36	32	52	59	23
Pardoned or sentence remitted	..	7	5	6	14	33
Total during the year	226	210	210	286	295	281
Remaining at the end of the year	173	166	173	214	220	210

ANDREW MERCER REFORMATORY FOR WOMEN.

TABLE No. 8

	1881.	1882.	1885.	1889.
Number inmates close of preceding year	30	127	120	121
Committed during year	221	212	142	124
Total number in custody during year	251	340	262	245
Discharged on expiration of sentence	108	179	141	148
Escaped	1	1	2	1
Transferred to Refuge	3	3	....	5
Otherwise removed	12	12	5	7
Remaining at the end of the year	127	145	114	88

REFUGE FOR GIRLS.

TABLE No. 9.

	1881.	1882.	1885.	1889.
Number of inmates at close of year	.....	20	43	49
Number received during year	.....	13	3 1	19-1
Total number in custody during the year	22	33	47	69
Discharged on expiration	.....	5	2	13
Pardoned	.....	.. .. ..	4	1
Apprenticed by order of Inspector	.....	.....	5	12
Remaining at the end of the year	20	28	35	43

There are no means of ascertaining the total number of offences committed in Ontario in any one year, or what number of persons are accused of minor offences who are not convicted and are not sent to gaol to await trial. The Dominion law only requires that magistrates before whom such cases are tried shall report those in which the accused have been convicted. No record is kept of the cases in which the prosecution has for any reason failed. In the cities the police authorities keep a record of all the cases that are disposed of in the police courts, but the information supplied by their reports merely furnishes a basis for estimating the number of offences committed and the number of persons charged with such offences who have appeared before the courts of the Province.

The convictions in Ontario for the years 1880, 1885 and 1889 are classed in the criminal statistics of Canada as follows:—

	1880.	1885.	1889.
Murders, attempts at and manslaughter	8	17	8
Rape and other offences against females	31	59	42
Other offences against the person	2991	3137	2932
Robbery with violence, burglary, house and shopbreaking	85	114	144
Horse, cattle and sheep stealing	28	33	29
Other offences against property	1860	1803	1851
Other felonies and misdemeanors	123	75	58
Breaches of municipal by-laws and other minor offences	7903	8091	10404
Drunkenness	5282	5868	7059
Totals	18311	20097	22527

In the number of cases of murder, attempts at murder, manslaughter and other offences against the person, there was little or no increase during the ten years; in cases of robbery with violence, burglary and housebreaking, there was an increase from 85 in 1880, and 66 in 1882, to 144 in 1889; in the cases of horse and cattle stealing, and of other offences against property, the numbers varied but were not greater in 1889 than in 1880; the cases classed as "other felonies and misdemeanors" was 123 in 1880 and 58 in 1889; the breaches of by-laws and other minor offences increased from 7,903 in 1880 to 10,404, and the cases of drunkenness from 5,282 to 7,059.

From the copies of their annual returns furnished by the chiefs of police of the larger cities, we learn what number were arrested in each of those cities during the year 1889, and what offences they were charged with:—

HAMILTON.—The total number of arrests made and persons brought to trial during the year was 2,901. Of these 478 were brought to trial under warrant, 1,403 without warrant, and 1,020 by summons.

Of those brought to trial by all these means, 866 were acquitted; 1,728 were fined; 83 were committed to gaol direct; 32 were sent to the Central Prison; 19 to the Mercer Reformatory; 6 to the Penetanguishene Reformatory; 1 to the Kingston Penitentiary; 53 were committed for trial in the High Courts; 38 were bound to keep the peace; in 63 cases sentence was deferred, and 12 cases stood over.

Two hundred and ninety-five were charged with assault; 27 with aggravated assault; 20 with assault and robbery; 178 with disorderly conduct; 703 with drunkenness; 233 with drunkenness and disorderly conduct; 52 with fighting on the street; 4 with burglary; 26 with housebreaking and larceny, and 181 with vagrancy, etc.; other charges, 1,182. The total number of reports of offences against property received during the year was 359, of which 280 were cases of larceny. During the year 1,287 males and 39 females received food and shelter in the police lodging house.

KINGSTON.—The total number of persons charged in the police court was 552. Of these 379 were charged with drunkenness, 5 with disorderly conduct on the streets, 56 with larceny, 14 with other offences against property, 35 with vagrancy, and 63 with other offences.

Of those charged 81 were discharged, 319 were fined, 59 cases were reserved, 29 stood, and 5 were withdrawn. Four were sent to the Central Prison for various periods, 4 were sent to the Andrew Mercer Reformatory, 3 to the Penetanguishene Reformatory, 1 to the Kingston Penitentiary for 10 years, 18 were sent to gaol for terms of 1 to 3 months, 25 were committed for trial, 3 cases were adjourned, and 3 were bound to keep the peace; 19 were under 15 years of age.

Two hundred and fifty-two persons were summoned for infractions of the city by-laws, of whom 89 were fined.

LONDON.—The total number charged with offences during the year was 1,640 males and 127 females—total, 1,767. Of these 723 males and 62 females were discharged; in the cases of 85 males and 4 females the charges were withdrawn. 852 males and 61 females were convicted.

Seventy-three were accused of common assault, 9 of assaulting and wounding, 101 of having been disorderly, and 1,045 of having been drunk. Of those accused of drunkenness, 516 were convicted and 529 were discharged. It is stated that the number arrested for drunkenness was 150 above the average of the five years, and the increase is attributed to the construction and opening of the C. P. Railroad. There was 1 case of arson, 1 of perjury, 1 of abduction, and 9 of assaulting and wounding. The other cases were of the usual character. 140 males and 43 females were charged with vagrancy.

The number of offences against property reported to the police was 123. In 89 cases the police made arrests. The number arrested was 107 males and 14 females. The charges against 7 were withdrawn; 26 males and 6 females were discharged; 75 males and 6 females were committed for trial or summarily convicted.

OTTAWA.—The total number arrested in Ottawa during the year was 1,032, of whom 136 were females. Three were arrested for murder, 1 for cutting and wounding, 64 for common assault, 8 for aggravated assault, 1 for shooting with intent, 1 for an attempt to commit suicide, 73 for breaches of the peace, 11 as insane, 1 for altering a note, 115 for larceny, 22 for other offences against property, 558 as drunk and disorderly, and 59 as vagrants. The other charges were of the usual character. The number acquitted and convicted is not given, but the chief of police states that 55 per cent. of those arrested for assaults, 60 per cent. of those arrested for breaches of the peace, 72 per cent. of those arrested for larceny, and 80 per cent. of those arrested for vagrancy were of intemperate habits.

TORONTO.—The police report for 1889 shows that the number of offenders apprehended or summoned by the city police for the year ending December 31st of that year, was 9,898 males and 1,689 females—total, 11,587. The drunk and disorderly numbered 4,570 men and 871 women: in all 5,441. The number charged with larceny was 767 males and 111 females; in all 878. Those accused of burglary numbered 55; of housebreaking, 79; of highway robbery, 43; of fraud, 65; of forgery, 23; of trespass, 252; of other offences against property, 177; of common assaults, 650; of murder, 11; of manslaughter, 6; of other offences against the person, 153; of vagrancy, 333, of whom 125 were females; of breaches of by-laws and other offences, 2,621.

Of the accused 5,172 men and 804 women, in all 5,976, were discharged; 157 were committed for trial; 3,961 were fined with the alternative of imprisonment; and besides these, 240 were sentenced to imprisonment for one month and under; 165 for three months and under; 94 for six months and under; 25 for one year and under; 15 for two years and under; 30 for three years and under; 5 for four years and under, and 13 for five years and under.

Of the offenders, 527 males and 34 females—total, 561—were from 10 to 15 years of age, and 905 males and 115 females—total, 1,024—were from 15 to 20 years of age.

The number of waifs sheltered at the police stations and not classed as offenders was 539.

These figures seem to show that the total number of persons convicted of offences of all kinds in Ontario was nearly twice as great as the number that passed through the gaols of the Province, and that the number charged with offences of all kinds, as shown by the foregoing Police returns, was more than twice as great as the number convicted.

CORRECTIONAL AND REFORMATORY INSTITUTIONS OF ONTARIO.

The burdens imposed upon the Province by the British North America Act in respect of crime and criminals were heavy, and likely to increase even faster than the population and resources of the Province increased, and when the Dominion Legislature enacted that all prisoners sentenced to less than two years imprisonment must be cared for and maintained

by the Provinces, it soon became evident that the common gaols were insufficient for the punishment or reformation of a large number of those who became a charge on this Province and its municipalities. No system of employment could be devised that would give work to one-fourth of the able bodied prisoners, and the gaols must be schools of crime for those who, prone to vice, were herded together in idleness. The establishment of a Central Prison, in which real work and rigorous discipline could be provided for such able bodied criminals as crowded the gaols, was strongly recommended by Mr. Langmuir, then Inspector of Prisons. His recommendation was acted upon; the additional burden was assumed by the Province and in 1874 the Central Prison was opened. A reformatory for women and a refuge for girls were still much needed and in 1880 the Mercer Reformatory was erected. In 1888 the Industrial School at Mimico was established under the provisions of the Industrial Schools Act.

When these institutions were completed, Ontario had for purposes of correction and reformation the following institutions, Provincial, Municipal and Corporate:—

Thirty-seven county and eight district gaols.
One central or intermediate prison for men.
One reformatory for boys.
One industrial school for boys.
The Andrew Mercer reformatory for women.
The Andrew Mercer refuge for girls.

In addition to this chain of prisons and reformatories, the Dominion maintains at Kingston a penitentiary for adult convicts sentenced for periods of two years and over; this being the only correctional institution in the Province maintained by the Dominion Government.

A comparison of the estimated number of persons charged with offences of all kinds in Ontario, of the number of those so charged who were convicted and of the total number who passed through our gaols in one year with the number of those charged with offences of all kinds, the number convicted and the number who passed through the gaols in other countries whose people are of the same origin, and whose laws and mode of administration resemble our own will best serve to shew what success has attended the efforts hitherto made in this Province to repress crime and to direct attention to those parts of our system which are defective.

England and Wales.

According to the best returns that the Commissioners have been able to obtain, the number of indictable offences committed in England and Wales during the year 1888, and *reported to the police*, was 43,336.

The number of *apprehensions* made in the cases so reported was 19,314, or 44½ per cent. of the cases. In 55½ per cent. of the cases no arrests were made.

Of the 19,314 who were arrested 5,343 were released on bail, to appear again if required; this, in most cases, is practically equivalent to a discharge; 1,657 were admitted to bail for trial, and 12,063 were sent to gaol to await trial at the Assizes or Quarter Sessions.

The principal offences reported to the police were

Murders, of which 75 were murders of children under one year of age	190
Attempts to murder	79
Manslaughter	213
Shooting and stabbing	771
Serious assaults on women	1,281
Burglary and housebreaking	3,881
Forgery and currency offences	652
Larceny	26,088
The number of cases of suicide was	1,223

For 3,567 offences against the person 3,561 persons were apprehended, of whom 2,635, or 74.6 per cent. were sent for trial.

For 6,884 offences against property with violence, 2,747 persons were apprehended, and 2,152 were sent for trial, or 31.3 per cent. of the number of offences.

For 29,785 cases of larceny and other offences against property not accompanied with violence, 10,121 apprehensions were effected, and 7,638 persons were sent to trial.

For 3,100 other offences 2,885 persons were apprehended, and 1,380 were sent to trial.

Of the number sent for trial 75 per cent. are usually convicted.

Of the 19,314 apprehended for indictable offences, 3,628 were females, and of these only 935 were described as of previous good character, while about one-third of the men are so described.

Of those "committed for trial" some were admitted to bail, others who could not find bail or whose application to be admitted to bail was refused were held in the district gaols until the sitting of an Assize Court or of the Sessions permitted their being put upon trial.

It is difficult to make a fair comparison between the amount of criminality or its character or the number of criminals in Ontario and in other countries without being thoroughly familiar not only with the laws relating to crime but also with the spirit and mode of their administration in those countries. It would be quite impossible, however, to make such a comparison unless we took into account the character of what are treated as minor offences in both, and the number accused and convicted of such offences

According to an authority whose classification of offences differs from that of the Judicial Statistics the total number summarily proceeded against in England and Wales in 1888 was 868,588, of whom 113,514 were females. Of the total 538,930 or 80.6 per cent. were convicted; the rest were acquitted or discharged for want of evidence.

The offences thus summarily disposed of included 48,559 cases of theft, 18,919 cases of malicious damage to property, 74,571 cases of assault, 10,895 offences against the game laws, 166,366 cases of drunkenness 76,589 offences against the Education Act, and 82,269 against local and highway Acts.

In 74 cases the punishment imposed was six months imprisonment. In 35,974 cases the punishment was 14 days imprisonment or under. In 392,073 cases fines were imposed. Six hundred and ninety-two delinquents were sent to reformatories or industrial schools, and 3,316 offenders were whipped.

Of the females proceeded against summarily, only 36,327 were of previous good character, while of the males one-half were so described; 41.4 per cent. of the males and 62.9 per cent. of the females had previously been before the courts. Of the males, one in 20, of the females, one in 12 was an habitual drunkard.

Comparison between this and any statement respecting offences summarily disposed of in Ontario is impossible. The total number of convictions is relatively very much larger however. Take drunkenness for example. The number of convictions in England and Wales in 1875-6 was 205,567 and in 1887-8 was 166,366. The number of convictions in Ontario in 1888 was 7,059.

A comparison of the gaol statistics seems to afford a more satisfactory means of comparison. From the official report of the Commissioners of Prisons for the year 1890 we take the following return of all prisoners received into Local Prisons and disposed of during the year ended 31st March, 1890.

Received, etc.	Males.	Females.	Total.	Disposed of.	Males.	Females.	Total.
In prison at commencement of the year	12,097	2,461	14,558	Removed to convict prisons	1,324	156	1,480
Remanded and discharged	7,558	2,457	10,015	Removed to other local prisons	4,847	550	5,397
Tried and convicted	6,461	1,12[illegible]	7,490	Removed to schools and reformatories	1,045	174	1,219
Tried and acquitted	1,245	331	1,576	Removed to lunatic asylums	119	45	164
Remaining untried	825	180	1,005	Discharged on pardon, etc	167	33	200
Otherwise disposed of	269	38	307	" license	13	7	20
Convicted at Assizes and Sessions	551	139	690	" termination of sentence or committment	123,305	43,250	166,613
Convicted summarily	98,335	38,753	137,088	Bailed	1,286	422	1,708
Want of sureties	1,476	659	2, 26	Escaped	1	1	2
Debtors and civil process	8,572	351	8,926	Committed suicide	10	1	11
Naval and military offenders	1,242		1,243	Died from natural causes	93	12	105
From the custody of other governors	5,171	484	5,655	Executed	13		13
Totals	143,763	46,976	190,679	Remaining in prison at end of the year	11,420	2,325	13,745
				Total	143,703	46,976	190,679

Deducting the 5,655 who passed from one gaol to another, it appears that the total number of prisoners who passed through the local prisons of England and Wales in 1889 was 185,024, with a population of 29,015, 513 as against 12 531, committed to the gaols of Ontario with an estimated population of 2,230,000.

It appears from the judicial statistics that the number of convictions, summary and on indictment, for the years named, and for the offences of each of the classes designated were as follows:

	1875.	1880.	1885.	1888.
Class 1.—Offences against the person, including assaults	103,658	86,173	80,943	78,138
Class 2.—Offences against property with violence	4,148	6,999	6,647	6,898
Class 3.—Offences against property without violence, including stealing, embezzlement, offences against game laws, etc	101,765	110,934	96,386	98,209
Class 4.—Malicious offences against property, destroying fences, fruit trees, etc.	23,839	22,217	20,999	19,911
Class 5.—Forgery and offences against the currency	737	925	948	952
Class 6.—Offences not included in the above classes	199,092	205,059	202,687	213,788
Not included in the above six classes:				
Drunkenness	205,567	174,481	165,139	166,266
Against elementary Education Acts	25,129	67,[illegible]52	67,043	76,589
Against local Acts and borough by-laws	46,998	46,356	43,859	51,343
Total	710,933	720,230	684,701	711,894

From these figures it would appear that the total number of convictions in England and Wales for the year 1888 numbered 711,894, as compared with 22,527 in Ontario for 1889.

The total population of the local prisons of England and Wales on March 31st, 1878, was 20,833, and on March 31st, 1886, it was but 15,375. In 1890, making allowance, the report says for retention of convicts the number was 13,877.

Scotland.

The estimated population of Scotland in 1889-90, according to the "Judicial Statistics" was 3,956,872. According to the Prison Commissioners Report it was 4,120,547.

The number of persons charged by the police with offences of all kinds in the year 1889-90 was in burghs 104,950, and in counties 37,195; total, 142,145. These were classed as—

Offences against the person	1,643
Offences against property with violence	881
Offences against property without violence	11,882
Malicious offences against property	4,245
Forgery and offences against the currency	49
Breaches of the peace and disorderly conduct	64,659
Drunkenness when not convicted under the House Act	22,405
Drunkenness under Public House Act	9,578
Other offences	26,803
	142,145

The total number of commitments to prisons for 1889, was 46,899 and the convictions in criminal cases, according to the judicial statistics, for the same year numbered 44,701.

The total number of prisoners confined in the prisons of Scotland for the year 1888-89, including those that were in custody at the end of the preceding year was 49,274, and the daily average number was 2,285. The total number of prisoners in custody on 31st March 1889, was 2,080.

Ireland.

The reported population of Ireland for the year 1887 was 4,837,313.

The Report of the General Prisons Board, (Ireland), for 1888 is the latest we have been able to obtain. In 1887 the number of persons proceeded against for indictable offences was 6,378, and the offences disposed of summarily numbered 219,663 or a total of 226,641.

The indictable offences were—

Offences against the person	1,274	
Offences against property with violence	355	
" " without violence	2,874	
Malicious offences against property	940	
Forging, and offences against the currency	62	
Other cases	873	
		—— 6,378

The total convictions numbered 182,787.

Among the cases disposed of summarily were 77,476 of drunkenness, and 28,600 of common assault.

The daily average number of prisoners in the county and borough gaols during 1888 was 2,566. The total number in the Bridewells during the year was 2,369.

The United States.

The only general criminal statistics for the United States are those published in the Census returns, and these, with the exception of the tables which show the number of persons in the prisons on a certain day, the offences for which they were committed and the terms for which they were sentenced, are admittedly of no great value, because the mode of administering justice in criminal cases is different in every State. In the reports for 1876 it is stated that account is taken only of those prisoners who were convicted in courts of record, and that the classes of offenders tried in such courts are not the same in every State, so that the criminality of some States seems to be very much greater than that of others. The Census returns of 1880 are the latest that have yet been received. The same system of preparing the criminal statistics appears to have been followed in these, although we do not find this stated anywhere.

The increase in the number of prisoners in each decennial period since 1850 has been very much greater proportionately than the increase of the general population. In 1850 the population was 23,191,876 and the number classed as prisoners in the Census returns on a given day was 6,737 or 290 for each million. In 1860 the population was 31,443,321 and the number of prisoners 19,086 or 607 for each million. In 1870 the population was 38,558,371 and the number of prisoners 32,901 or 853 for each million. In 1880 the population was 50,155,738 and the number of prisoners 58,609 or 1,169 for the million. The increase in the number of criminals from 1880 to 1890 has probably been quite as great as in the previous decades.

Of those in prison in 1880, as stated above, 1,244 were convicted of offences against the goverment; 398 of offences against the currency; 14 of offences against the election law; 149 of offences against the postal law; 292 of offences against the revenue; 9,663 of offences against society; 10,887 of offences against the person; 31,365 of offences against property; 10 of offences committed on the high seas; and 1,380 of what are classed as miscellaneous offences.

Of those convicted of offences against the person 3,724 were found guilty of "Homicide-murder" and 883 of manslaughter.

8,865 were convicted of burglary at common law; 288 of burglary recognised by Statute; 1,756 of robbing; 9,563 of larceney; 4,437 of grand larceny; 1,774 of petty larceny; 1,294 of horse-stealing; 261 of embezzlement; 1,139 of forgery and counterfeiting.

58,609 given in the tables from which we have taken these figures as the number of persons in prison in 1880, must have been the number in the penitentiaries and other prisons on the day on which the census was taken, as in another table, we are told that on June 1st, 1880, there were in the prisons of the United States, 5,657 awaiting trial; 52,394 serving out their sentences; 80 awaiting execution; 520 awaiting removal to higher prisons; 80 held as witnesses; 42 imprisoned for debt; 397 imprisoned for insanity. 2,162 were United States prisoners.

Of the 52,394 prisoners serving out their sentences, 30,655 were in the penitentiaries, 6,975 in county gaols, 1,194 in city prisons, 7,885 in workhouses, 486 in military prisons, 350 in asylums for the insane, and 4,879 were leased out.

Of those in the penitentiaries, 80 were sentenced to death, 1,615 to imprisonment for life, 30,316 for a term of years, 11,100 for a term of days, and 2,031 were committed for non-payment of fines. The sentences of 7,198 are not stated.

The number sentenced to imprisonment for not less than one year was 31,925. Of these 26,951 were sent to penitentiaries, 530 to county gaols, 11 to city prisons, 309 to workhouses, 468 to military prisons, 221 to insane hospitals and 3,435 were leased out. 3,647 were sentenced to one years' imprisonment; 6,028 to two years; 5,026 to three years'; 2,365 to four years'; 5,112 to five years'; 1,021 to six years'; 1,291 to seven years'; 653 for eight years; 206 for nine years; 2,316 for ten years; 2,658 for terms exceeding ten years and 1,615 for life.

The number of prisoners sentenced to imprisonment for short terms, averaging 197 days, was 11,160, of whom 1,243 were sent to the penitentiaries, 3,257 to county gaols, 534 to city prisons, 5,834 to workhouses, 5 to military prisons, 9 to insane hospitals and 278 were leased out.

The total number imprisoned in penitentiaries, gaols and workhouses for non-payment of fines was 5,178. It is remarkable that even of these 119 were leased out.

The total number in reformatories was 11,468, of whom 2,210 were females. The police returns for the cities, having 5,000 or more inhabitants, shew that the population of those cities in 1880 was 12,699,181, that the number arrested in them during the year was 567,731 and the number of lodgers in station houses was 557,760.

It is much to be regretted that the census returns for 1890 have not yet been published as the information they will contain would probably prove much more valuable for our purpose than that furnished by the returns of 1880.

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Massachussetts.

The population of Massachussets according to the census of 1890 was 2,238,943. As this population approximates very closely in number to that of Ontario; and the condition of the people is much the same and the criminal statistics are prepared on a system nearly similar, an examination for the purpose of comparison will prove interesting and valuable.

The total number of persons charged with offences before the police, municipal and district courts and trial justices of Massachusetts, including also the cases brought before grand juries, for the year ended 30th September, 1889, was 85,486. Of this number 68,390 were convicted and sentenced, as compared with 22,527 convicted and sentenced during the same year in Ontario.

The number of persons committed to all the prisons of Massachusetts for the same year was 38,603, as compared with 11,893 for Ontario.

The commitments were to gaols 3,191 males and 506 females; total 3,697: to the houses of correction, 13,683 males and 1,323 females; total 15,006: to the Boston house of industry 11,750 males and 2,476 females; total 14,226: to the State farm 289 males and 5 females: to the State prison, 133 males; to the Massachusetts reformatory for men, 532; to the reformatory for women, 206: 3,412 persons were committed to gaol for non-payment of fines and costs and 285, of whom 67 were females, on term sentences. In the houses of correction 10,721 were received for non-payment of fines and 4,285, of whom 437 were females, were received on term sentences.

The total number of "prisoners received and discharged in all the prisons of

the Commonwealth for the year ending September 30th, 1889," is given as follows in the report of the prison commissioners:—

Number of prisoners remaining Sept. 30th, 1888	5,698
Committed by courts during the year	38,603
Returned by revocation of permit	77
Returned from escape	13
Returned from lunatic hospital	1
Surrendered by bail	1
Transferred from other prisons	1,548
Total	45,944

Of these 38,191 were discharged by expiration of sentence, or by permit and payment of fines, 1,540 were "transferred to other prisons," and 6,008 remained in the prisons on Sept. 30th, 1889.

The number confined in all the prisons of the State on the 30th of September of each year, from 1879 to 1889, inclusive, were—

Year.	Gaols.	Houses of Correction	Total.	Houses of Industry.	State Prison.	State Farms.	Reformatory for Women.	Reformatory for Men.	Total.
1879	507	1781	2288	770	756	206	380	....	4100
1880	460	1610	2070	574	710	140	317	....	3821
1881	489	1671	2160	741	661	102	229	....	3893
1882	513	1690	2203	751	650	87	244	....	3935
1883	501	1769	2270	824	567	59	261	....	3981
1884	531	2014	2545	883	560	76	324	....	4388
1885	691	2006	2697	1280	492	106	281	538	5344
1886	602	1887	2489	1033	541	82	268	640	5013
1887	547	1990	2537	1185	533	92	225	774	5346
1888	673	2216	2886	1185	564	134	242	687	5698
1889	683	2490	3173	1242	564	159	244	626	6008

The number of prisoners confined in the State prison of Massachussetts is relatively smaller than the number confined in the English convict prisons or in the Kingston penitentiary: but in England all who are sentenced to imprisonment for more than two years are sent to the convict prisons, as in Ontario prisoners sentenced to more than two years imprisonment are sent to the penitentiary, and there is neither in England nor in this province any institution corresponding to the reformatory for males, at Concord, Massachusetts, or to the State farm.

Of the 603 prisoners committed to the Massachussetts reformatory for men in 1889 under indeterminate sentence 197 were convicted of crimes the maximum statutory penalty for which is two years, 329 of crimes the maximum penalty for which is five years, and five had committed crimes the penalty for which ranges from 7 to 25 years. Of the 206 committed to the reformatory for women during the year 92 were committed for drunkenness and 114 for other offences. The average of all the sentences in that institution was one year and four months. Making a fair allowance for the prisoners convicted of the more serious offences who were confined in these reformatories and on the State farm, and taking into account also the 162 prisoners sentenced to imprisonment in the houses of correction for two years and upwards it will be found that the number undergoing sentence for the greater crimes in Massachusetts is proportionately larger than the number of convicts in England and Wales, much larger than the number in the penitentiary of this province and very much larger than the number of Scotch convicts including those sent to the English prisons or of the convicts in the prisons of Ireland.

Of those sent to the houses of correction 993 males and 131 females were sentenced to more than six and less than twelve months imprisonment; 342 men and 39 women to more than one and less than two years; 123 males and 3 females to two years and less than three, and 29 males and 5 females to more than three years and less than five years. So that in these prisons 1,631 prisoners were undergoing sentence of from six months to three years and 34 sentence of less than three and more than five years.

On the same day there were altogether 352 in the Ontario Central prison and 88 in the Mercer reformatory: but of those in the Central prison nearly one-half were undergoing sentences of less than six months imprisonment. None are sent to the Central for a period longer than two years.

The total number of prisoners in all the penal institutions of Massachussetts on September 30th, 1889 was 6,008.

The total number in the Kingston penitentiary, the Central prison, the Mercer reformatory for women and the common gaols of Ontario at the close of the official year was 1,688.

The total number in the convict and local prisons of England and Wales on March 31st, 1890 was 19,972: viz., convicts 5,583, others 13,475.

In explanation of the large number of persons imprisoned for minor offences in Massachusetts it has been said that the Legislature or General Court of that State devotes great part of every session to the manufacture of misdemeanors. It is also alleged that the police are more vigilant and the magistrates more disposed to severity than in other countries. The extraordinary number of the gaol and prison population can scarcely be accounted for in that way.

Minnesota.

In the States of the North West the proportion of criminals and misdemeanants, as shown by the official reports, is not so large as in the older Eastern States. The population of Minnesota in 1880 was 780,779. In June, 1885, its inhabitants numbered 1,117,798, according to a State census. If it continued to increase at the same rate the population last year must have been about 1,500,000.

The Board of State Charities of Minnesota report that there were in the State prison, October 31st, 1886, 381 prisoners; October 31st, 1887, 418 prisoners, and October 31st, 1888, 403, and that about 200 cells were empty at the date of the report. 1,627 persons were sentenced to the Minneapolis workhouse during the year, of whom only 191 were sentenced for more than 30 days; and 2,148 were sent to the St. Paul workhouse, of whom 234 were sentenced for more than 30 days but only 23 for more than 90 days. In the year 1887 2,398 males, and 115 females passed through the gaols of the State, and of these 176 males were sent to the State prison.

Comparative Statement.

In the preparation of the following table absolute accuracy was found impossible, because the criminal statistics are prepared very differently in the countries named, even the close of the year for which the reports are made up being different. But it will be found substantially correct and it will serve to show the relative condition of crime and the relative proportion of criminals in Great Britain and Ireland; in the state of Massachusetts, and in Ontario It should be remarked that the later returns show as is stated elsewhere, that the number sentenced to penal service in Scotland, was still further reduced last

year: that this is probably true of Ireland also, and that the official reports of Massachusetts do not furnish the information necessary for a comparison in some cases. Our efforts to obtain full information as to the number of the criminals in the state of New York were unavailing. To the number in the state prisons, large as it is, should be added the number in the reformatory at Elmira, who have been convicted of felonies, and the very large number in the penitentiaries who are undergoing sentences of more than two years. In the English, Scotch and Irish reports, those accused of larceny who are tried summarily are not classed as criminals. In Ontario, nearly all charged with larceny are tried summarily.

	England and Wales.	Scotland.	Ireland.	Ontario.	Massachusetts.
Population in 1889	29,015,613	3,956,872	4,837,313	2,230,000	2,238,943
Total number of persons convicted of offences of all kinds	711,894	100,971	182,787	22,527	68,390
Percentage of population	2.45	2.5	3.77	1.00	3.07
Total number passed through the gaols during the year	185,024	54,297	43,148	12,531	38,603
Percentage of population	.638	1.35	.89	.569	1.71
Total number sent to local prisons or gaols to undergo sentence during the year	145,268	44,701	40,866	7,692	34,094
Percentage of population	.50	1.12	.84	.35	1.5
Daily average in all prisons and gaols	14,389	2,253	2,645	1,688*	6,008
Percentage of population	.049	.056	.053	.075	2.69
Number in all prisons at close of the year	13,745	2,189	2,469	1,688	6,008
Percentage of population	.047	.057	.049	.076	.268
Number in convict prisons at close of year	5,583	423	578	573	585
Percentage of population	.019	.011	.012	.026	.020

*These are the numbers in prison on September 30th, 1889.

THE CAUSE OF CRIME.

The most important of the subjects into which the commissioners were especially directed to enquire is "the cause of crime." It is also one of the most difficult to deal with. The commissioners found that the opinions of witnesses on this subject were largely influenced by the views which they entertained on the great social questions that have occupied public attention of late years and by the circumstances in which they were themselves placed. Those who have had much experience of life in cities and large towns expressed opinions very different from those who live in rural districts. Some who have been actively engaged in various reform movements were very prompt and decided in their expressions of opinion. Men of great experience who have devoted many years to the study of this and kindred questions, and who have done much to lessen the number of criminals and reduce the volume of crime, spoke with doubt and hesitation when questioned on this subject and in most cases expressed views differing widely from those of the less experienced enthusiasts.

To understand fully the scope of the enquiry and the meaning of the answers which are especially entitled to consideration we should know what those who discuss such subjects regard as crime.

Sir James F. Stephen, a high authority, in his history of the Criminal Law of England, published in 1883, says, (vol. 2, p. 70,) "The only perfectly definite meaning which a lawyer can attach to the word is that of an act or omission punished by law." He remarks that "the popular or moral conception adds to this the notion of moral guilt of a specially deep and degrading kind. By a criminal, people in general understand not only a person who is liable to be punished, but a person who ought to be punished because he has done something at once wicked and obviously injurious in a high degree to the commonest interests of society. Perhaps the most interesting question connected with the whole subject is how far these views respectively ought to regulate legislation on the subject of crime." He discusses this question and concludes that "in the first place criminal law must from the nature of the case be far narrower than morality. * * It never entered into the head of any English legislator to enact, or of any English court to hold, that a man could be indicted or punished for ingratitude, for hard-heartedness, for the absence of natural affection, for habitual idleness, for avarice, sensuality, pride, or, in a word, for any vice whatever as such."

These "vices" however, are in many cases the roots or germs of the greater offences called crimes and must be so regarded in any enquiry into the causes of crime meant to be practical.

Judge Sanford M. Green, of Michigan, who has devoted a great part of a long life to the study of the causes of crime and the best means of reducing its volume in his work on "Crime, its causes, treatment and prevention," published last year, says, "Crime is said to consist of those wrongs which the government notices as injurious to the public and punishes in what is called a criminal proceeding in its own name. A crime or misdemeanour has also been defined to be 'an act committed or omitted in violation of a public law forbidding or commanding it.'" He very properly resolved, however, in dealing with his subject "not to be limited to what the laws treat as crime," but to include as within the meaning of that term all wrongs committed against persons and property, public health, justice, decency and morality whether forbidden by a public law or not.

The prominent penologists of the United States when they use the word crime generally mean what are known as felonies and when they speak of criminals mean those who have committed felonies, and in some cases those also who, although they commit only such offences as are called misdemeanours, live by preying upon society.

Mr. Havelock Ellis, who is by many regarded as a high authority, in his work, "The Criminal," published this year in London, divides criminals into classes which he characterises as *political criminals*, the victims of an attempt by a more or less despotic government to preserve its own stability; *criminals by passion*, men of wholesome birth and honest life who under stress of some great unmerited wrong have wrought justice for themselves, and who never become recidivists; *insane criminals*, who being in a condition of recognisable mental alienation perform some flagrantly anti-social acts; *instinctive criminals*, who in their fully developed form are moral monsters in whom the absence of guiding or inhibiting social instincts is accompanied by unusual development of the sensual and self-seeking impulses, and *occasional criminals*, in whom the sensual instincts need not be stronger than usual and the social elements though weaker than usual need not be absent. Weakness is the chief characteristic of the occasional criminal. He succumbs easily to temptation. Occasional crime is one

of the commonest forms of crime. The occasional criminal, aided on the one hand by neglect, on the other by the hot-bed of the prison often develops into the habitual criminal.

In classifying the worst criminals as instinctive, Mr. Ellis seems to put the theory of heredity in another form. He virtually states that there are some naturally more prone to crime and more devoid of guiding and inhibiting instincts than the generality of mankind. This is very different from the doctrine that moral weakness and a propensity to evil are the inheritance of all men. Mr. Ellis quotes the sacred scriptures to prove that the hereditary character of crime and the "organic penalties of natural law" were recognised by the Hebrews: and he quotes the saying of Plutarch, "that which is engendered is made of the very substance of the generating being so that he bears in him something which is very justly punished or recompensed for him, for this something is he," to prove that they were recognised by other nations of antiquity; but he does not go as far as other writers of the same school, for he says, (p. 91,) "There are two factors it must be remembered in criminal heredity as we commonly use the expression. There is an element of innate disposition and there is the element of contagion from social environment. * * Practically it is not always possible to disentangle those two factors; a bad home will usually mean something bad in the heredity of the strict sense. Frequently the one element alone, whether the heredity or the contagion is not sufficient to determine the child in the direction of crime." In another passage he says, "The influence of heredity, even in the strict sense of the word, in the production of criminals, does not always lie in the passing on of developed proclivities. Sometimes a generation of criminals is merely one stage in the progressive degeneration of a family. Sometimes crime seems to be the method by which the degenerating organism seeks to escape from an insane taint of the parents." In the Elmira reformatory 499 or 13.7 per cent. have been of insane or epileptic heredity. Of 233 prisoners at Auburn, N.Y., 23.03 per cent. were clearly of neurotic (insane epileptic, etc.,) origin; in reality many more. Virgilio found that 135 out of 266 criminals were affected by diseases that are usually hereditary. Rossi found that of 71 criminals, 5 had insane parents, 6 had insane brothers and sisters, and 14 more distant relatives were insane. Kock found morbid inheritance in 46 per cent. of criminals. Marro found the proportion 77 per cent., and by taking into consideration a large range of abnormal characters in the parents the proportion of criminals with bad heredity rose to 90 per cent. An unusually large proportion of the parents had died from cerebro spinal diseases and from phthisis. Sichard examining nearly 4,000 German criminals in the prison of which he is director, found an insane epileptic suicidal and alcoholic heredity in 36.8 per cent of the incendiaries; in 32.2 per cent. of the thieves; in 28.7 per cent. of the sexual offenders. Penta found amongst the parents of 184 criminals, only 4 to 5 per cent. who were quite healthy. Mr. Ellis cites amongst many others the case of the notorious Jukes family in support of his views. Margaret Jukes, according to one account, had 200 descendants who were criminals, besides great numbers of idiots, drunkards, lunatics, paupers and prostitutes. According to Mr. Drydale the descendants of this woman in seven generations numbered five hundred and forty and 169 others were related to her by marriage or otherwise. Of all these "280 were adult paupers, 140 were criminals, guilty of murders, thefts, highway robberies and nearly every kind of offence known in the calendar of crime." Mr. Ellis does not, however, go as far as some theorists and contend that nothing can be done to reform the criminal or to save the children of criminals from a life of crime. Education, he admits, may do much, not indeed the mere intellectual rudiments which have very little influence in pre-

venting crime though they may have a distinct influence in modifying its forms, "but an education that is as much physical and moral as intellectual, an education that enables him who has it to play a fair part in social life." He further says, "an education must include provision for the detection and treatment of abnormal children We can not catch our criminals too young. Taverni has found that criminals in childhood are marked especially by their resistance to educational influences. It is our duty and our interest to detect such refractory and abnormal children at the earliest period, to examine them carefully, and to insure that each shall have the treatment best adapted to him." He even says, (p. 301,) that "every society has only the criminals it deserves."

We have quoted from the work of Mr. Ellis at much length, because he admittedly expresses the views of a large and important section of those who make the causes of crime a special study. Some go much farther and contend that those who belong to families long steeped in crime are absolutely irreclaimable. One of the witnesses who appeared before the commission a specialist of considerable observation and experience, held that the tendency to crime is hereditary as are the formation of the body, the cast of features, the color of the eyes or of the hair, the tone of voice and other physical pecularities, and that this tendency is almost, if not quite, irresistible and ineradicable. He did not speak of the degeneracy of families manifesting itself in crime as Mr. Ellis does. His theory was that mankind as a whole is steadily progressing, that each generation adds to the stock of general knowledge and thus contributes to the improvement of the race, but that some do not keep pace with the march of civilization. These retain many of the characteristics of their savage forefathers and in many respects bear strong resemblance to the savages of our own time, as in the strength of their passions, the want of self-control and the weakness or absence of moral sense. When asked to explain why the children of criminals sometimes seem to lead honest, virtuous lives, he said that it was but seeming, and that sooner or later these also would commit crime, although not necessarily such crimes as their fathers or other relatives had committed. When asked to explain why the children of virtuous parents sometimes become great criminals, he said that although the parents may not have actually committed crime, it would be found on careful enquiry that some members of the family, perhaps in a previous generation, had been criminals. Where that is not the case the fall of such persons must be attributed to "atavism," by which he meant that liability to lapse into the condition of the unimproved animal which is sometimes found in the best bred cattle. It was natural, that holding such views this witness should be of opinion that the only effectual mode of repressing or reducing crime was to shut up all the criminals, so that they could do no further mischief and could not propagate their kind. Something may be done with the children of criminals if they were removed from their evil environment at a very early age and very carefully educated, but even when all this was done, he thought, the chances of their becoming good men and women were very small. However, he admitted that the attempt to save them should be made.

Mr. Vaux, a well-known student of criminal science, in the report of the inspectors of the State Penitentiary of Pennsylvania for 1887, p. 118, says, "inherited crime cause and a crime class, the result of hereditary taint, are already demonstrated. The statement given, (a statistical table), proves that many persons are criminals by reason of transmitted moral defects of character peculiar to families and traceable to transmitted conditions."

Charles Dudley Warner, in a paper read at the Atlanta meeting of the National Prison Congress, after stating that crime and the number of criminals

in the United States was increasing faster than the population, expressed as follows the views of the section of social reformers who hold such opinions, p. 272.

"The time is at hand when society will be compelled to take decided and radical measures for the repression of the criminal class and against its propagation. They say, as a matter of historical observation, that the present civilization in England and America would not have been possible but for the elimination of the vicious class of bad blood by various violent processes during several centuries in England. They refer not so much to war and pestilence which swept away to some degree good as well as bad elements in society, but to the capital laws against petty criminals and vagrants. These laws were barbarous. There was the same death penalty for snaring a hare or stealing a loaf of bread as for taking a purse on the highway with the added ceremony of murdering its owner. England swarmed with merchants who were all thieves, with vagabonds associated and classified in ranks and orders, idle law breakers of every fanciful designation. * * England bristled with gibbets; the tree that bore the most fruit in that damp climate was the gallows tree; the number of executions was enormous.

"Now these barbarous laws did not repress crime; they are believed by many to have increased it, but it is undeniable that they did eliminate a vast amount of bad blood from the body politic; that they did extirpate a great mass of criminals root and branch and prevent the propagation of their kind. So that when the severe laws which tended to make the viciously inclined criminal were gradually repealed the new civilization had sensibly less of the bad element to deal with." For the United States he said, "there is no doubt that the elimination of desperate characters, the professional criminals, the Apaches of our civilization, * * who have no occupation but to prey upon society is much to be desired. These persons are not simply useless. * * they are hostiles—enemies of the race. So long as they remain and propagate their kind they are the most expensive element in society and the most dangerous." But he concluded, "I believe in heredity, that is in the transmission of qualities and appetites and traits and tendencies, but I do not think we know enough about it to make it the basis of legislation for the extirpation of the criminal class. * * It needs Omniscience to tell who will not become a criminal and what criminal is absolutely irreclaimable. I think it is evident, therefore, that in our attempt to extirpate criminals we must deal with them as individual men and women and not with classes." He proposes to put 'the professional, the determined criminals where they can no longer prey upon society and where some of them * * may be reformed and to rescue children in degraded circumstances in which they are morally certain to become criminals or paupers.

Judge Green, of Michigan, who believes fully the doctrine of heredity, quotes Ribot who says that "the heredity of the tendencies to thieving is so generally admitted that it would be superfluous to bring together facts which abound in every record of judicial proceedings." He quotes the same author as stating that "the passion known as dipsomania or alcoholism is so frequently transmitted that all are agreed in considering its heredity as a rule" He also quotes Dr. Maudsley, Gall and others in support of his views, and says that "conflicting heredities may exist in families as in the case referred to by Gall where the one from the mother was good, the one from the father was bad and where three out of the five children were condemned to severe and degrading penalties for thieving, and the other two possessed the good qualities of the mother and lived correct lives."

Morel, whom some accept as an authority, regarded crime as one of the forms taken on by degeneration in the individual or the family, and degeneration he defined as "a morbid deviation from the normal type of humanity." The causes of degeneration which he recognised were "intoxication, famines, social environments, unhealthy occupations, poverty, heredity, pathological transformation and moral causes." He gives a chief place to the manifold effects on the children of alcoholism in the parents.

In the annual report of the State Industrial School at Rochester, N. Y., for the year 1890, it is stated that in seventy-six cases—the total number in the schools then being 474—the cause of commitment was "hereditary taint."

Of those witnesses who gave evidence before the commission and who may be regarded as experts, only one held the extreme doctrine of heredity. Some thought it certain, others thought it probable, that the children of drunkards and of those who lead a life of crime would be so physically or intellectually defective, that they would yield to evil influences and fall into vicious habits much more readily than children born of honest, sober parents. Some shared in a vague way the old and still popular belief as to good and bad stock. Nearly all held that the children of the worst criminals if removed in time from the evil environment and properly educated may be saved, and that the great reduction in the number of crimes and criminals in Great Britian and Ireland is due to the timely removal and the judicious training of such children, and not to what Mr. Dudley Warner calls the "elimination of a vast amount of bad blood from the body politic" by numberless executions of criminals.

Akin to the theory of heredity, and yet different are the theories of those who assert on the authority of prison statistics and the observations of scientific men that the proportion of epileptics, of persons who become insane or show symptoms of an insane tendency, of the constitutionally feeble, of the physically defective and malformed, is much greater in the population of prisons than in the population at large. It is generally believed that amongst habitual criminals, and especially those whom Mr. Ellis classes as "instinctive criminals," the cranium narrow in front and large at the back or peaked, the narrow receding forehead, beetling brows, high cheek bones, large prominent ears, heavy lower jaws, small deep set eyes, a hangdog scowl and restless uneasy furtive glances are frequently to be seen. The students of criminal anthropology, who are chiefly French and Italian, contend that the tendency to crime is manifested even in the color of the hair and of the eyes, the form and position of the nose, the shape and dimensions of the chest, the condition of the muscles and otherwise, and Mr. Ellis quotes Homer's description of Thersites to prove that even in very early times the belief prevailed that moral and intellectual faults and defects have such physical manifestations.

The commissioners of prisons for England and Wales, in their report for 1890, say, "As to the physical and mental capacity of the frequently convicted prisoners, seven governors consider them to be of a low and inferior type, either physically or mentally, or both, and eight say that they are generally strong healthy and intelligent, with the notable exception of the drunkards and vagrants who are either physically or mentally considered to be of a low standard. It probably may be assumed with truth, that a large proportion of the prisoners whose frequent re-convictions sometimes cause remark have become what they are from bad bringing up and weakness of character."

Any theory which leads to the conclusion that some are formed by nature for a life of crime and must, no matter what their education, be criminals if left free to act according to their instincts, will not find general acceptance although

it may be true that "criminals present a far larger proportion of anatomical abnormalities than the ordinary European population."

On the most thoughtful consideration of this subject and careful analysis of the evidence taken in connection with that branch of the enquiry the commissioners are led to the conclusion that the chief causes of crime in the community are:

The want of proper parental control; the lack of good home training and the baneful influence of bad homes, largely due to the culpable neglect and indifference of parents and the evil effects of drunkenness.

It was the almost universal opinion of all who gave testimony on this subject, and this is also the opinion of such writers as we have been able to consult, that the great majority of criminals begin their career of vice and crime at an early age, and that where there are many juvenile offenders there will in time be many criminals, unless proper methods of prevention and reformation be employed.

It is shocking to learn that during the year 1889 five hundred and twenty-seven boys and thirty-four girls of from ten to fifteen years of age were taken before the police magistrate in the City of Toronto alone, and to know that these were not all the children in that city whose education is neglected and whose habits are vicious. Boys and girls are in all those hundreds or thousands of cases allowed to go where they please and do as they please, "to run about the streets at all hours of the day and night," as one witness said, and to consort with those who have become familiar with vice in all in all its aspects.

In some cases parents who allow their children thus to run at large are incapable of exercising any control over them. In other cases the parents are both compelled to work all day in order to maintain their families even in the most squalid surroundings and, therefore, cannot exercise the necessary supervision over their children. A widow with a number of small children, who must work from morning to night away from her wretched home, can do little to keep her little ones out of temptation. But sheer neglect and indifference are in most cases the cause of the want of proper control and training which lead so often to such dreadful consequences. When the home influences are positively bad, as in too many instances they are: when the father is a drunkard, or worse still, when both parents are drunkards, or are dishonest: when, as is too often the case, every lesson the child receives either by precept or example is a lesson in vice and crime the whole life of that child will undoubtedly be a life of vice and crime unless some outer influence for good be employed in its behalf

An eminent United States authority says: "There is a melancholy tendency of crime youthward. More than a fifth of the inmates of our state prisons are mere boys ranging from twenty years down, even to the child who has scarcely reached his teens"

Intemperance, directly and indirectly, is unquestionably one of the most fruitful causes of crime, and its effects are wholly evil. Some in their abhorrence of drunkenness believe that it is the cause of nearly all the crime that is committed. Judge Green states as the result of his experience of many years on the Bench of the state of Michigan, that four-fifths of all the crime committed is caused by drunkenness. Others allege that nine-tenths of all crime are due to this cause. This may be true as to crimes of violence, but drunkenness is in many cases effect rather than cause. An English writer on criminal anthropology says, "crime and drink are intimately bound together, although we must beware of too unreservedly setting down drink as the cause of crime. Both crime and drink are the morbid mani-

festations of organic defects which for the most part precede birth. The abuse of alcohol is not, however, universal amongst criminals at all events when any intellectual ability is required. It would not do to drink in our business said a criminal to Lambroso.

Dr. E. C. Wines says, the prevailing character of crime in America is hard to define. In the south and west, crimes of violence: in the north and east, crimes of fraud are most common. Theft prevails everywhere, though not to so great an extent as in Europe. Crimes against property and crimes against the person are substantially in the ratio of three to one. Intemperance is a proximate cause of a very large proportion of the crime committed in America. Fully three-fourths of all the prisoners with whom I have personally conversed, in different parts of the country, have admitted that they were addicted to an excessive use of alcoholic liquors. If it had not been for the dram shop, I should never have been here" is the stereotyped wail that issues from every cell and swells in melancholy chorus through all the corridors of our prisons." He once sent a circular to the wardens of all the state prisons asking "what is your opinion as to the connection between strong drink and crime." The answers returned looked all one way. J. W. Pollard, of Vermont, did but echo the general sentiment though he put it more sharply than most when he said. "My opinion is, that if intoxicants were totally eradicated, the Vermont state prison would be large enough to hold all the criminals in the United States.

Mr. Ellis, after quoting a number of authorities to prove that alcoholism in either of the parents is one of the most fruitful causes of crime, because of the consequent degeneracy of their offspring, says, the relation of alcoholism to criminality is by no means so simple as is sometimes thought: alcoholism is an effect as well as a cause. It is part of a vicious circle. For a well conditioned person of wholesome heredity to become an inebriate, is not altogether an easy matter. It is facilitated by a predisposition, and alcoholism becomes thus a symptom as well as a cause of degeneration. The conclusions of Dr. Crothers "are that," (1) inebriety is itself evidence of more or less unsoundness: (2) in a large proportion of cases it is only a sign of slow and invidious brain diseases: (3) when crime is committed by inebriates, the probability of mental disease is very strong: (4) using spirits to produce intoxication for the purpose of committing crime, is evidence of the most dangerous form of reasoning mania. The crime and the inebriety are only symptoms of disease and degeneration, whose foot prints can be traced back from age to age. "Dr. Ellis adds," the danger of alcohol from the present point view lies not in any mysterious prompting to crime which it gives, but in the manner in which the poison lets loose the individual's natural or morbid impulses whatever these may be.

The hereditary transmission of evil tendencies is regarded by many of those whose enquiries have been directed chiefly to the scientific aspect of the question as an important factor in the production of criminals. The evidence goes far to prove that hereditary taint in many cases renders it difficult if not impossible to resist the influence of evil and unwholesome environment.

Idleness, that is a dislike for work, is regarded by many as a fruitful cause of crime. Those who are possessed of means often become vicious and profligate if they do not engage in some kind of business sufficient to afford them occupation; and those who possess little or no means and are unwilling to work must cheat or steal to make a living. It is not poverty, however, so much as a love of idleness that causes them to be dishonest. Some anthropologists tell us

that many criminals are unable to work because of the condition of their muscles and of their nervous system. But they seem to mistake cause for effect. It is because they have not been trained to steady work, and because they have indulged their evil passions, that the muscular and nervous systems of criminals are in such an abnormal condition. A large proportion of criminals, when entering prison or penitentiary, claim to be mechanics, and are so set down; but in fact few of them have any other claim to be classed as mechanics than that they spent a few weeks or days in a work shop or factory at some time. A very large proportion call themselves laborers, which in many cases means that they never did any work they could avoid. Some good mechanics as well as professional men and others do too often become drunkards, and in some cases find their way to gaol, but comparatively few farmers or mechanics become felons. It has been remarked of those convicted of crime that nearly all were idle when arrested, and few, if any, had previously been steadily occupied in any kind of work.

Dr. E. C. Winnes says: A desire to live without work leads to crime here as it does in other countries, and this vicious indolence was much increased by the late civil war. The severe financial depression that has existed throughout the whole country since 1873, * * has contributed in no small degree to swell the volume of crimes, both of fraud and theft, and even of violence. Among educated men, crimes of fraud have greatly increased, and our prisons now contain more convicts of this class than ever before. Want of a trade is a permanent and potent occasion of crime. Three-fourths of our criminals make no pretence to having acquired a trade; and of the remainder more than a moiety have done so only in a very imperfect degree.

Of idleness, as of drunkenness, it may be said that it is sometimes difficult to decide whether it should be regarded as cause or as effect. It may certainly be traced in many cases to want of parental control and of proper home training. The boy who is allowed to do as he pleases until he has reached the age of fourteen or fifteen is not likely to acquire a taste for steady employment afterwards.

Even involuntary idleness is too often a cause of crime, and they who do any thing to render employment irregular, or unremunerative, incur a grave responsibility. Young persons when forced into idleness are exposed to many temptations, and in some cases become dissipated. Others resort to the use of strong liquors for comfort or oblivion, and sometimes acquire a habit of drinking. Those of dishonest tendencies are led, under pressure of want, to commit petty larcenies, and find it more difficult to restrain their evil propensities afterwards. Those to whom enforced idleness is most dangerous are not, however, those to whom it brings suffering and want. The Rev. Mr. Clay, of Preston, chaplain of the Prison in that district, made careful observation of the effects of such idleness in North Lancashire during the great strikes which were so frequent toward the middle of the century, and the statistics published by him prove conclusively that the increase in the prison population, which accompanied those strikes, came from the younger men who fell into habits of dissipation.

Ignorance was, for many years, supposed to be one of the chief causes of crime, because a large proportion of the prison population could not read or write, even imperfectly; and there are some who attribute the reduction in the number of criminals in Great Britain chiefly to the establishment of the present school system. Rev. M. McG. Dana, commissioned by the Governor of Minnesota to visit British prisons, in his report, published in 1889, states that in 1871 there were 11,712 convicts in the prisons of England and Wales, and in 1885 only

8,790; although the population of the country had increased 3,300,000, and he says:

"I asked John Bright, in an interview I had with him at Rochdale, whether this exceptional record was due to the excellent prison system. He replied that he thought not altogether, but rather to the schools now becoming so universal, to the Sunday schools whose moral influence is so great on the youth, and to the augmented and able preventive work which has visibly reduced the sources of crime."

Only those who have some idea of the profound depths of ignorance of all things religious as well as literary, in which many of the lower classes of England were sunk, can conceive what effect the establishment of schools, in very many of which religious instruction is given, in all of which the pupils are taught to know something of God and of His goodness, of themselves, and of their duties, must have had. The Rev. Mr. Clay, whose observations were nearly all made in Lancashire, says in one of his reports:

"Let me present a short summary of three years' observation—hard, naked statistics, which I will clothe in but little commentary. During the period I name the performance of my duties has brought me into contact with 1,733 men and boys, and 387 women and girls, altogether unable to read; with 1,301 men and boys, and 287 women and girls who knew not the name of the reigning soverign; with 1,290 men and boys, and 293 women and girls, so incapable of receiving moral and religious instruction that to speak to them of virtue, vice, iniquity or holiness was to speak to them in an unknown tongue; and with 1,120 men and boys, and 257 women and girls, so destitute of the merest rudiments of Christian knowledge—so untaught in religious forms and practices, that they knew not the name of Him who died for their sins, nor could they utter a prayer to their Father in Heaven." In a report quoted by Mr. Hill, Recorder of Birmingham, the Rev. Mr. Clay stated, that—"Of 96 men tried for riot, etc., in the Chartist outbreak in the autumn of 1842, sixty were unable to read, and thirty-six were ignorant of the Saviour's name."

Ignorance so dense never prevailed to any extent in this country, and of all who entered our gaols last year, those who could read and write were fully 75 per cent. But notwithstanding our school system, of which we are so proud, it is to be feared that many are growing up utterly ignorant of much that good citizens should know. It is alarming to find that of those who were sent to gaol, 25 per cent. could not even read and write; and much ignorance, no doubt, prevails amongst the majority of those who are described as possessed of those accomplishments. Such ignorance, literary and religious, as still exists in Ontario, may, in most cases, be fairly attributed to the want of proper parental control, the lack of proper home training, and evil home influences.

The inordinate eagerness to acquire wealth or to get money sufficient to satisfy the desires of the extravagent or the profligate, which prevails in this age is undoubtedly the cause of much crime. Mr. Rutherford Hayes, ex-President of the United States, in his address at the Congress of the National Prison Association, held this year at Cincinnati, spoke of it as a chief cause. On the top of the wheel of fortune, he said, and apparently held in high esteem, are men who quickly amassed large fortunes by means that are at best questionable, and, looking at these successful men, many of those at the bottom who are striving to reach the top, imagine that they may use means, which, if more dangerous, can scarcely be regarded as more dishonest. The desire to get money without hard work and without self-denial has been strong in all ages.

Poverty is not in itself a cause of crime as many very poor persons lead honest, virtuous lives, yet, especially in cities and towns, the poor are often compelled to find lodging in crowded lanes and courts and alleys in which the worthless, the drunken and the criminal dwell, and though the parents may escape the contamination of the foul moral atmosphere of such places, the children whom they cannot confine to their miserable abodes, who must seek amusement and recreation on the streets are unavoidably exposed to the corrupting influences by which they are constantly surrounded, and to temptations to which they too often yield. Squalid surroundings, orphanage misery, and the wretched home life or lack of home life in great cities, are undoubtedly fruitful sources of crime. It is a well established fact also that those who are crowded into dwellings in which the air is always laden with poisonous exhalations, and especially those who work in the wretched rooms in which the family exist, suffer from nervous depression, which leads to the use of stimulants, and frequent use of stimulants, especially under such circumstances, leads almost inevitably to drunkenness.

Other causes which act directly or indirectly in causing crime are the exposure of portable wares at shops doors and on stands where they serve as strong temptations; the want of playgrounds for boys where they could indulge in innocent amusements under proper supervision; the love of dress amongst girls and their preference for employment in shops and factories, even when the wages paid are scarcely sufficient to provide food; the general tendency to luxury and extravagance and the desire "to keep up appearances." Pawn shops and "marine" stores in which even children may dispose of stolen property, do much to foster crime.

The neglect of its duties by the State and by society in all its other forms of organization, is largely responsible for the prevalence of vice and crime. The State has not done its whole duty when it has enacted that those who commit crimes shall be punished, and has provided police by whom offenders and criminals may be arrested, tribunals before which they may be tried, and gaols in which the penalties imposed may be exacted. The public arrest of a child, his public appearance as a culprit in a police court, his imprisonment in a common gaol, where he must associate with criminals of all sorts, are usually so many stages in his progress from vice to crime. Such a mode of treatment not infrequently has a most injurious effect on children who have committed merely some law-made offence. All this system of dealing with criminals and offenders rests upon the exploded principle that crime can be prevented, and criminals kept in check only by deterrent agencies. Nor is it enough that the State provides in addition, a school system the benefits of which all who choose and who have the opportunities may share. Charitable associations make a great mistake if they suppose that when they provide food and clothing, and fuel and shelter for all who seem to be indigent, they do all that is necessary to supplement the work done by the State. The example of Great Britain proves, most conclusively that much more can be done by the State and by associations to save those who are in danger, and to raise those who have fallen than has yet been attempted in this Province. What more can be done in this country where the work ought to be much easier should be done. How it can best be done is a question which demands the most serious consideration.

Several American writers and speakers contend that the increase of crime in the United States is largely due to immigration. Those of the criminal classes of Europe, who desire to elude arrest or to escape from police surveillance

for a time, in the hope that they may be forgotten, come to America, they say, and of those who have passed through the convict prisons and reformatories of Great Britain and Ireland, many are encouraged to emigrate who, when here, relapse into their evil habits. It is even alleged that the reduction in the number of British criminals is due largely to this systematic, steady emigration. It will be seen on reference to his evidence, that Mr. Round, a gentleman of great experience, is of opinion that a very large proportion of the criminals who infest New York, came from Europe, after they had there received their training in crime. The report of the State Board of Charities and Corrections of Minnesota for the year 1889, expresses a similar view, and publishes statistics in support of it, including a comparison of the nativity of State Prison convicts in eight States of the Union, by percentage. The following are the figures given for the States, whose institutions we have most carefully examined:—

BIRTH PLACE.	Michigan.		Ohio.		Massachusetts.	
	All Inhabitants.	Convicts.	All Inhabitants.	Convicts.	All Inhabitants.	Convicts.
Scandinavia	.1	.2	.1	.3	.3	.8
Germany and Austria	5.5	4.8	6.	3.9	.9	.6
Ireland	2.3	4.3	2.5	3.7	12.7	10.2
British America	9.1	13.8	.5	3.4	6.7	5.3
England or Scotland	3.3	6.5	1.6	3.	3.4	8.7
Other countries	3.4	2.2	1.1	1.2	.9	2.2
Total Foreign Born	23.7	31.8	11.8	15.5	24.9	27.8
" Native Born	76.3	68.2	88.2	84.5	75.1	72.2
	100	100	100	100	100	100

These figures seem to prove that the foreign born, and especially those from Great Britain and Ireland, furnish a percentage of criminals much larger than their percentage of the whole population But to arrive at a fair conclusion, we must take into account that a much larger proportion of the immigrant population than of the native, have arrived at the age when crimes may be committed. It is inevitable, too, that of emigrants settling in cities, as English, Scotch and Irish largely do, the number liable to fall in to evil habits will be larger than of those who have comfortable homes and steady employment. Where emigrants settle chiefly on land, as the Germans and others do in the Western States, the official returns show a very different state of things. The Minnesota report, from which we, take those figures, states elsewhere that children of foreign-born

parents constitute 71.2 per cent. of the population of the State, but form only 64 per cent. of the population of the State institutions, contrary to the generally received opinion. Scandinavians are 25.1 per cent. of the population, and furnish only 13 per cent. of the inmates of the State institutions. The children of English, Irish, Scotch and Canadian, are 19.1 per cent. of the population, and furnish 29.5 per cent. of the inmates of the institutions.

A delegate of the Trades and Labour Council, of Toronto, who gave evidence, produced statistics of our prisons and charitable institutions, to prove that of those whom the Canadian Government has assisted to come to Canada by paying part of the cost of their passage, and of the boys and girls sent out from British reformatories and houses of refuge, a considerable number belong to the criminal classes. As in the official statistics no distinction is made between the inmates of prisons, asylums, and other institutions, who have come out on "assisted passages," or under the management of the many societies and agencies engaged in sending boys and girls to this country, and others who have come from Europe, these figures only prove as the statistics proved long before assisted passages were thought of, that the number of the inmates of our penal and charitable institutions, who are natives of Great Britain and Ireland, is proportionately large. Yet the views he put forward should receive the most careful consideration.

Much evidence was taken as to the character and conduct of the boys and girls who, for some years, have been sent to this country from Great Britain. The total number must be very large. The official reports state that the number of those discharged from reformatories who emigrated from the year 1854 to 1888 inclusive, was 2,990 boys and 210 girls, and from Industrial schools from 1862 to 1889 inclusive, 1,432 boys and 324 girls. The reports do not state the number of these sent to Canada, but, no doubt, it was large. Boards of Poor Law Guardian have sometimes sent out children from the work-houses. Of these we cannot find any account. The numbers sent out by benevolent associations is much larger than that sent by the British local authorities. Dr. Barnardo, in his book, "Something attempted, something done," boasts that his "organized parties" had reached "a grand total of 2,400 boys and girls to Canada alone" up to September, 1888, and he has since sent us other organized parties. Several other agents, notably Miss Rye and Miss McPherson have been engaged in similar work. Dr. Barnado, whose evidence will be found interesting, asserted that the boys he sends out are carefully selected and are carefully looked after when settled here, and that a very small number of them have turned out badly. There was no evidence to show that many of those boys have become criminals, although several witnesses expressed unfavourable opinions of them. Medical men and others said that many of those boys are physically and intellectually defective, and that their coming to Canada should not be encouraged. It may be well, it was said, for Great Britain to send them to Canada and so get rid of them. It may be very well for the boys who, coming here, obtain release from their former associations and have better opportunities of earning a good living if they choose to be honest and industrious. But it cannot be good for Canada to absorb such an element in such large quantities. The importation of criminals half reformed or reformed only in appearance, of imbeciles, paupers and persons of defective physique or tainted with hereditary disease, must necessarily increase the number of criminals and the volume of crime. The evidence as to the girls who are sent to us by poor law boards, school boards and charitable organizations, was much less favourable than that received concerning the boys.

There are some who, although they do not pretend to deny that there is a great diminution in the number of criminals in Great Britain and Ireland, contend that the official reports are misleading and that there has not been a corresponding diminution of crime. Lord Lichfield—quoted approvingly by Mr. Tallack, secretary of the Howard Association, in his recent work—speaking at Stafford in 1885, said:—

"Having carefully investigared the subject I am not prepared to accept the statements so frequently made by persons in authority as to the decrease of crime in the country generally. My own investigations into this matter have led me to a very different conclusion and that is, that instead of crime being on the decrease it is on the increase. . . Admitting as I do that the figures in the reports (official) are correct, yet the result shown is to be accounted for solely and entirely by the very short sentences which are now passed and by the additional fact that somewhere about a third of the whole number convicted are not sent to prison at all. I find, taking the whole number of convictions in the year 1861 and comparing it with 1878, that there were 165,000 persons fined for offences against the law, and in 1883 there were 431,000 so fined." The official reports show that there was especially a diminution in the number of female prisoners. This he admitted to be correct but, he said, "the total convictions of females in England and Wales in 1849 was 25,846 and in 1883 they were 47,862. There has been a large increase in every description of offences which represent dishonesty, and I think I should be able to show if time permitted that in many of the serious offences there is considerable increase." Of juvenile offenders he said, "Since 1870 there is no record in our judicial returns of the number of the juvenile offenders who are convicted. . . If you take the number of persons who are now fined or whipped instead of being sent to prison at all you will find that the number of juveniles sent to prison does not in any way represent the juvenile crime of the country. . . Look at the number that, instead of being sent to prison, are sent to the Industrial Schools. Yet these numbers do not appear in the prison returns; just as all those who are fined or whipped do not appear. The total number of all persons *fined for larceny* last year was no less than ten thousand."

Canon Gregory, whom Mr. Tallack quotes, says in a paper published in 1886:—"It is clear . . that there has been no decrease in the number of crimes committ d or of small offences during the past fourteen years although there has been a remarkable diminution in the number of criminals captured by the police and possibly a great addition to the stringency with which lesser offenders have been brought to justice."

Mr. Tallack, who speaks of the character of the official returns as equivocal and ambiguous, asserts that in regard to certain serious crimes the statements of Lord Lichfield are well founded." For "whereas in 1870 there were fifteen persons sentenced to death in England and Wales and six executed, there were in 1886 thirty-five sentenced to death and nineteen executed. In 1870 there were 1,517 suicides and 2,222 in 1886." He directs attention to the fact that the number of boys and girls sent to reformatories in Great Britain had risen from 3,276 in 1859 to 6,272 in 1886, and the number in certified industrial schools from 480 in 1861 to 20,668 in 1886, that the number of adults committed for trial and those convicted summarily rose in England and Wales from 103,343 in 1861 to 165,952 in 1886, and in Scotland from 17,366 in 1881 to 44,647 in 1886.

Mr. Tallack adds:—"It must, however, be thankfully admitted that some other great crimes have materially diminished of late years in the United Kingdom."

Juvenile Offenders.

The commissioners are directed to make investigation of and report upon any "improved means of providing and conducting industrial schools" and any "improved means of rescuing destitute children from a criminal career," which may be adopted in this Province. To these subjects they gave the most careful consideration, believing them to be the most important of any coming within the scope of the enquiry.

Under the Mosaic law the Hebrews were strictly enjoined to teach their children the history of their nation and to train them in the observance of the law. It is probable that provision was made by each tribe for the proper education of orphan and destitute children who had no near relatives or friends to take charge of them, as all were entitled to a share in the property of the tribe. From their system, essentially so different from ours, we can borrow little except the principle embodied in the words "Therefore ye shall lay up these my words in your hearts * * and ye shall teach them to your children speaking of them when thou sittest in thy house and when thou walkest by the way, when thou liest down and when thou risest up. And thou shalt write them upon the door posts of thy house and upon thy gates." These and the precept "train up a child in the way he should go" are applicable to all peoples in all ages. Some pagan nations had high ideas of parental duties, and to enable the father to discharge those duties gave him even the power of life and death over his children: but those nations either took no thought of the destitute, the feeble and the afflicted or regarded them as having incurred the enmity of their gods. In Sparta, regarded by many as the model republic, children who at their birth were deformed or puny were cast into a great pit to perish. In Rome destitute children were treated as slaves or were reared for the arena or the lagnio. In this respect as in all others Christianity wrought a great change. "Suffer little children to come unto me," was a command of wide significance. Chastel, quoted by Dr. Wines in his great work on the "State of Prisons and of Child Saving Institutions," says that one of the Apostolic constitutions was "Bishops take care of the orphans, so that they want nothing." And deserted, destitute and exposed children were to be cared for as the orphans. They were to receive primary education at the hands of the widows and consecrated maidens. They were to be taught a trade. "They were to be gathered into the fold of Christ." Afterwards—probably even before the persecution of Christians ceased, orphan asylums and infant nurseries were established by devout men and women who thus employed their wealth and often took the destitute to their own houses. "Persons were sought who would receive deserted or neglected children into their families and bring them up in the faith." In all this Dr Wines sees what is now called the boarding out system, and the employment of such agencies for the rescue of children as even at this day prove most effectual. One of the first acts of Constantine the Great after his conversion was to issue a decree prohibiting the kidnapping of free children and reducing them to slavery. Great charitable institutions, such as have become numerous in this age it would seem had no existence in the Roman Empire at any time. When the northern invasion changed the face of Europe, whatever care destitute or erring children received was bestowed by the Tithing or other petty community to which they belonged. After the rise of feudalism they were cared for by the feudal lord who had a sort of property in all born on his lands and by the religious houses which in time grew up in every part of the old world. Another great change took place in Great Britain in the time of the Tudors. For many generations destitute children had only such care as the Poor Law system provided, and juvenile offenders were treated as

criminals. A few of the old charitable institutions for the care of children escaped destruction, but these were devoted to the education of the children of respectable families. For the poor there remained only the poor house and the prison.

The want of something better was soon felt. In 1552 some citizens of London petitioned the King to give them the palace of Bridewell to lodge the poor and to train up children in industrious habits. Nothing further seems to have been done in this direction until 1758 when the Philanthropic Society of London set to work to rescue and reform children. It gathered together a number of the children who lived by begging and pilfering, lodged them in three plain rough cottages, making what is now called the family system the basis of its institutional life, and agriculture the chief occupation of its wards." In one of their earlier reports the society said, "Agriculture is the grand source to which the society looks for employment for its wards. Agriculture means natural life and is the primary spring of health and happiness. The design is to approach as nearly as possible to common life, and as the wards are forming for the humble station of labourers, it is thought an important care not to accustom them to conveniences and indulgences of which they might afterwards severely feel the want." In 1805 the society was incorporated by Act of Parliament. Then it had one department as a prison school for juvenile convicts; another was a manufactory for the employment of destitute boys, and a third was a training school for destitute girls. A society whose chief object was the reformation of juvenile offenders was established in London in 1815. It established a refuge for juvenile delinquents and its success in dealing with those whom it could induce to go to the refuge was satisfactory. It also labored to promote improvements in gaol structure and in the classification and discipline of prisons, and especially by the establishment of schools in them. After careful enquiry this society "reached the conclusion that not less than eight thousand boys in London gained their living by depredations on the public," and that a large proportion of these was constantly passing through the prisons ripening into atrocious offenders and on their release industriously spreading the knowledge and practice of crime." The causes of this enormous amount of juvenile criminality they found to be homelessness, parental neglect, abnormal family relations, want of mental, moral and religious education; want of employment and dislike of work, destitution, the corrupting influence of prisons from want of classification and consequent defective discipline, and flash houses of drink, debauchery and all manner of wickedness. Other causes of a local character also had a pernicious effect. In 1817 the magistrates of Warwick established an asylum for the reformation of juvenile offenders at Shelton-on-Dunsmore near Birmingham. This more than any of the others may be regarded as the forerunner and model of the English reformatory school of the present day. The boys were employed chiefly in shoemaking and farm work, and although they were nearly all very vicious when sent to this asylum, it was said that fifty per cent. were thoroughly reformed and that the percentage of reformations increased as the teachers gained experience and the system was improved. This continued to do good work until 1853.

In 1839 Captain Brenton, a retired naval officer, as chief of a small association, opened an industrial school for boy vagrants which soon grew to a large size and was for a time very successful. He preferred extreme simplicity in his mode of lodging and feeding the boys. The dormitories were very rough. He bought a quantity of brick from old houses that were torn down and taught the boys to build with them a long shed in which three rows of hammocks were slung, and when told that the boys ought to have more space, he replied, "They have more room than the gallant fellows in Her Majesty's navy." "Religious

and elementary instruction, moral training, agricultural employment and removal to new scenes and purer influences were the leading ideas in his plan of treatment." Other associations and benevolent individuals made earnest efforts to save the young, but these efforts proved insufficient, because as Mr. M. D. Hill, Recorder of Birmingham stated, of the want of means and the want of sufficient authority.

Reformatories.

The necessity for doing something more for the reformation of juveniles than could be done by unaided private effort made itself felt in the British Parliament, and in 1835 a parliamentary committee was appointed to enquire into the subject. As a consequence of this a Government Reformatory for boys was established at Parkhurst (Isle of Wight) in 1838. This, with its high walls, its bars and bolts, its cells and armed guards, was really a prison. The boy usually between the ages of 10 and 18, but in some cases as young as 8 or 9, was placed in a probationary ward on his arrival and kept there in separate confinement for four months or more. He was not allowed to hold intercourse with any of the other boys during that time, although he was in the presence of others for exercise, instruction or religious service about five hours every day. He was supplied with occupation and books and visited by the officers of the establishment. Afterwards he was placed where he could learn a trade and converse and play with others under the eye of a warder. The boys remained in this institution from two to three years, and it was alleged that "a highly favorable change was generally perceptible in the whole disposition of the boys," that "there was a great difference between the first and second year, and a still greater difference between the third and former year." When their time was completed the boys were generally sent to the colonies, and provision was made to assist them in finding employment. Of those sent to Western Australia it was said about a fifth turned out badly and were very troublesome. It has been alleged indeed that the worst class of convicts landed in that colony were the Pentonville and Parkhurst prisoners. Similar statements are now made regarding the boys whom the reformatories fail to reform.

The feeling in favour of a more general, earnest and effective system for the reformation of juveniles was strengthened in Great Britain by the success of the efforts in that direction made in other countries. Count Von der Recke commenced to do a great work at Dusseldorf in Prussia, in the year 1816, soon after the close of the great war which left so many children orphan and destitute. In 1833 Wichern established the Rauhe Haus near Hamburg which has done excellent service and has been the model of many European reformatories. The most famous of all such institutions was that of Mettrai, in France founded and conducted by M. Demetz, who resigned a seat on the bench to devote all his energies to the work for which he was so well fitted. So great was his success that many similar institutions sprang into existence all over France.

It was not until 1854 that the "Palmerston Act" gave the necessary authority to those interested in the reformation of juveniles and the pecuniary assistance which was also so much required. The importance of voluntary labour in this great work was recognized. The State did not undertake the establishment or management of reformatories. The Act provided that any number of persons may procure grounds and buildings suitable for a reformatory and then apply to the secretary of State for a license that this should be granted when the State inspector reported that all necessary provision had been made and that when the license was issued the officers appointed by the association should have authority to receive and detain all juvenile offenders committed to their custody by the courts and to arrest and take back any who escaped. The associations make

regulations for the management of the inmates and their employment which must be approved of by the State authorities, and the reformatories are subject to regular State inspection. The Associations may, for any good reason, refuse to receive any of the juveniles sent to them from the courts. For those they receive the State pays a fixed amount. In some cases the government has given old vessels of war to the managers of reformatory schools to be used as training ships.

A similar Act, known as "The Dunlop Act," was passed for Scotland in the same year.

Only children convicted of some offence are sent to the reformatories. Several Acts were passed in amendment of the Act of 1854. An Act passed in 1866 repealed all those and made other provisions instead. The 14th section of this Act provides that "whenever any offender who, in the judgment of the court, justices or the magistrate before whom he is charged, is under the age of sixteen years is convicted on indictment or in a summary manner of an offence punishable with penal servitude or imprisonment and is sentenced to be imprisoned for the term of ten days, or for a longer term, the court, justices or magistrate may also sentence him to be sent at the expiration of the period of imprisonment to a certified reformatory school, and to be there detained for a period of not less than two years and not more than five years."

But an offender under the age of ten years is not sent to a reformatory, "unless he has been previously charged with some crime or offence punishable with penal servitude or imprisonment, or is sentenced in England by a judge of assize or court of general or quarter sessions, or in Scotland by a circuit court of judiciary or sheriff."

In choosing a certified reformatory school "the court, justices or magistrate" is required "to endeavour to ascertain the religious persuasion to which the youthful offender belongs, and so far as is possible a selection shall be made of a school conducted in accordance with the religious persuasion to which the youthful offender appears to belong." If a mistake be made it must be rectified on application by the parent, guardian or next of kin made within the time specified in the Act. The Act also provides that if a juvenile offender cannot for any reason be sent to a school conducted in accordance with the religious persuasion to which he belongs, it shall be lawful (proper representation having been made) for a "minister of the religious persuasion of such offender at certain fixed hours of the day, which shall be fixed by the Secretary of State for the purpose, to visit such school for the purpose of affording religious assistance to such offender and also for the purpose of instructing such offender in the principles of his religion."

Section 18 provides, that the managers of a certified reformatory school may, at any time after the expiration of eighteen months of the period of detention allotted to a youthful offender, by license under their hands, permit him to live with any trustworthy or respectable person named in the license willing to receive and take charge of him. "Such license shall be in force for only three months, but it may be renewed as often as the managers see fit until the offender's period of detention has expired; or it may be revoked, and the offender to whom it related is then required to return to the school. An offender escaping from the person with whom he is permitted to live is treated as one who has escaped from the school. Section 19 gives power to the manager to apprentice, with his own consent, to any trade, calling or service, although his period of detention has not yet expired, any offender who, having been placed out on license, has conducted himself well.

If an offender sentenced to be detained in a reformatory school escapes there-

from he may be apprehended without warrant, and if the managers of the school, think fit he may be taken before any justice or magistrate having jurisdiction and on summary conviction be imprisoned, with or without hard labour for any term not exceeding three months and at the expiration of such term be taken back to the reformatory. But if the managers so determine he shall, when apprehended, be taken directly to the reformatory.

Section 24 provides that the government may contribute out of money provided by parliament such sum as the Secretary of State may recommend towards the expenses of the custody and maintenance of any offender detained in a certified reformatory school.

Section 25 provides that the parent, step-parent or guardian or any other person legally liable to maintain any youthful offender confined in a certified reformatory school shall if of sufficient ability, contribute to his support and maintenance therein a sum not exceeding five shillings per week.

The prison authorities of any county, city or borough may contribute to the erection, enlargement or repairs of a reformatory school and to the support of its inmates and may contract with the managers for the reception and maintenance of offenders sentenced to detention in such school. The cost of conveying an offender to a reformatory and the cost of "proper clothing requisite for his admission" must be borne by the prison authority of the district within which he has been last imprisoned.

The total number of reformatory schools in Great Britain in 1889, including three reformatory ships, was fifty-six.

The total number of admissions to these schools during the year 1889 was 1,512, viz: In England, boys, 1,155; girls, 182. In Scotland, boys, 159; girls, 36.

The number under detention on December 31st, 1889, was, boys 5,070, girls 870; total 5,940. Of these, 751 boys and 77 girls were living outside with respectable persons under license; seven were sent to prison and forty-three absconded, leaving actually in the schools at the date of the report 4,280 boys and 782 girls.

"In Scotland the inspector says" it is still very difficult to keep up the girls' reformatories. There seems no disposition on the part of the Scotch magistrates to send girls to these institutions so long as previous imprisonment is necessary. The same feeling is becoming strong in England and it is anticipated that this provision of the law which works much evil and does no good will be repealed.

Of the juveniles sent to these schools seven boys were under ten years of age; 152 boys and 10 girls were from ten to twelve; 442 boys and 62 girls were from twelve to fourteen, and 679 boys and 156 girls were from fourteen to sixteen.

Five hundred and forty-two boys and 195 girls had not been previously convicted, sixty-two boys and twenty-four girls had been previously convicted once, 190 boys and seventy girls had been convicted twice fifty-seven boys and two girls three times and thirty-three boys four times and upwards.

Of those admitted to English reformatories in that year forty-one had lost both parents, fifty-six had been deserted the parents of thirteen were in prison and twenty-eight were illegitimate. Of those sent to Scotch reformatories four had lost both parents and had been deserted and six were known to be illegitimate.

The total expenditure for the maintenance of these reformatories was £118,714, of which £1775 was collected from parents in England, and £261 in Scotland. The average cost per head was for boys' reformatories in England £19 7s 3d; in Scotland £17 2s 1d; for girls' reformatories in England £19 6s 7d; in Scotland £20 17s. 2d.

Few or none of the reformatories in Great Britain, so far as we can learn from the inspector's report, are conducted on what is called the cottage

system, but then the average number in the schools was but ninety. In one girls' school the number was sixteen, in others it ranged from twenty-six to sixty. In one boys' school the number was only twenty-five, in another twenty-eight, in another thirty-two and in several it was less than sixty. In only ten of the boys' schools in England and in four in Scotland did the number exceed 100. At the Red Hill school established by the Philanthropic Society long before the government lent any aid to such institutions there were on the day of inspection 300 boys, exclusive of 31 on license, and for these there were five separate houses. In one of these, however, were fifty-eight of the senior lads, in another sixty-one of the juniors

The literary instruction given in all the schools appears to be the same that is given in the Board schools. In some there was a class of standard six, as it is called there: in all there were classes of standard five and of the lower standards. The inspector examined them all and his report shows that they were, as other schools, of various degrees of excellence owing in most cases to the difference in the capacity and character of the teachers, but in some cases to the character of the pupils. On the whole the literary work appears to be well done as far as it goes.

The industrial training varies according to the circumstances. The inspector says "of all the occupations for reformatory boys undoubtedly the best is farm work and market gardening, and of the indoor work I give the preference to printing, book binding, turning and carpentering." Tailoring and shoemaking, he says, are necessary occupations to supply the wants of the schools. Where bread is baked in any quantity the boys employed in the bakehouse can always obtain good places when they leave. The views of the managers of several of the schools seem to coincide with those of the inspector as farming, market gardening and fruit culture are carried on extensively and successfully in several of the schools. Take for instance the report of the school at Carlton, Bedfordshire. In this school were only sixty-five boys and yet besides the other work on farm and garden they had five horses, fourteen cows, six young sheep, thirteen calves, seventy pigs and a poultry yard to look after: they made improvements on the farm roads, baked their own bread, made and mended their own clothing with the assistance of a tailor who came occasionally. To help them in all this they are reported to have had only a farm bailiff, a labourer and the labourer's wife who acted as dairywoman. So at Bradwell, with the exception of a little tailoring, the occupation is outdoor work in farm and garden which fully occupies the boys there. "The boys are practically trained and well fitted for country life." In the Devon school at Brampton the boys, twenty-four in number, "are employed in farm and garden work. A tailor comes occasionally to mend clothes, with the assistance of the boys The boys work out a good deal amongst the neighbouring farmers." In other schools classes work at tailoring, shoemaking and carpenter work, but in most cases agriculture, the care of stock and market gardening are the chief employments and in many the boys go out to work for farmers or in gardens. From some schools considerable quantities of garden produce are sent to the neighbouring towns for sale; others have quantities of shoes to dispose of. One sold 14,000 pairs of boots and shoes during the year. In one, at least, basket making is found suitable, in another a good deal is done in the rope making and twine spinning department. There is a good demand in some districts for sheep-nets, wall and fruit nets. In the training ships the boys are taught sail making and all that pertains to a seaman's duty.

In the Yorkshire school for Catholic boys at Market Wighton in which there were 215 boys, printing and book-binding are carried on extensively. There were twenty-six printers and sixteen book-binders. During the first six months 700,000 copies of various pamphlets and books were printed, besides numbers of

bili heads and other work. Knitting machines had also been introduced and thirty boys are employed at these: twenty-four were employed in the tailor's shop, eighteen in the shoemaker's, three in the carpenter's and a large number on the farm.

The mark system has been introduced in several of the schools, and it appears to have worked well. In some the system of grades also is in operation. Boys who gain a certain number of marks are paid a small sum, the amount paid to the boys in the higher grades being larger than what is paid to the boys of the lower grades. The system of license is carried out in all the schools. We are told of the Castle Howard school in York that the licensing system is carried on with great care, cost and trouble, and results very favorably in the majority of cases. The boys on license are under regular supervision and are in every day correspondence with the school.

The girls receive a literary education similar to that given to the boys and are taught plain cooking, laundry work, sewing, knitting and general house work, the object being to fit them for domestic service.

The Inspector reports that the conduct in the schools is as good as perhaps it would be reasonable to expect. In some, discipline is much better and the punishments are fewer than in others. This, in most cases, is due to the difference in the character of the superior and of the teachers, some lacking the power to control and influence which others possess in a remarkable degree. Indeed the moral condition of the school in which punishments were most severe and most numerous was the worst of all reported upon. Sometimes one or two boys or girls excite others to misconduct and cause much trouble. Quarrelling, fighting, insubordination, wilful destruction of property, violent and obscene language, petty thefts, indecency and absconding were causes of more or less punishment in nearly all the boys' schools. In the girls' schools wilfullness, forwardness, stubbornness and insubordination, bad language and petty thefts are the chief causes of complaint.

One of the advantages of entrusting the care and control of these schools so largely to voluntary associations and to denominational organisations is that much care is taken to provide employment for the boys and girls in the outer world when their period of detention has expired.

The discharges from the reformatory schools in 1889 were, boys, 1,325, girls, 236, total 1,561, and these were disposed of as follows:—

	Boys.	Girls.	Total.
To employment or service	518	131	649
Placed out through relatives	510	79	589
Emigrated	96	11	107
Sent to sea	122	..	122
Enlisted	29		29
Discharged from disease	17	7	24
as incorrigible		3	3
Died	18	2	20
Absconded and not recovered	15	3	18
	1325	236	1561

The numbers discharged from all the reformatories in the years 1885, 1886

and 1887 were 3,694 boys and 715 girls. Of these eighty-four had died. Of the remainder it is stated that:—

Of the boys:

2,847	or about	78	per cent.	were	doing	well.
69	" "	2	" "	"	doubtful.	
507	" "	14	" "	"	had been convicted.	
201	" "	6	" "	"	were unknown.	

Of the girls that:

514	or about	73	per cent.	were	doing	well.
73	" "	10	" "	"	doubtful.	
48	" "	7	" "	"	had been convicted.	
66	" "	10	" "	"	were unknown.	

These are not as good results as are sometimes claimed by the managers of reformatories in other countries. It should be remembered however that since the establishment of industrial schools, only boys and girls who have been guilty of some serious offence and who bear bad reputations are sent to the reformatories, and that to these are also sent boys and girls who prove unmanageable in the industrial schools. Mr. Tallack says (p. 352) "The multitudes of young persons thus taken over by the state, has often been crowded together without due classification, and with a demoralizing mixture of those of tender years with older and vicious youths. Hence the numerous outbreaks, riots and incendiarisms which have taken place in reformatories and training ships. More than a few of these have at one time or another been set on fire by their inmates. Hence also the frequent complaints by prison officers, that some of the worst convicts are those who have been trained in such institutions"

The report of Mr. Inglis, the Inspector from which we have quoted so largely, and which seems to be candid and truthful, does not justify such sweeping charges, although it does shew that much in the way of the reformation of the criminal youth of Great Britain remains yet to be done.

Industrial Schools.

It was found at an early period in the history of this reformatory movement that it was necessary to do something for the thousands of idle, neglected, and destitute children not yet convicted of any offence, who swarmed in the lanes and alleys of all the cities and large towns, and who if not cared for would sooner or later drift into the ranks of the criminal classes. In London, ragged schools were established and rendered much service. At first they were held on Sundays only. Afterwards they were held every evening, and the children of the very poor and even of the vicious were induced to attend by having a cheap but substantial meal furnished in the Refuges to all who complied with the rules. Day schools were subsequently established. Personal cleanliness, good order and attention to work only were required, but in some cases clothing sufficient for purposes of decency were provided by the managers. The Ragged School Mission had 166 stations in London in 1857, Of these sixteen were Refuges or feeding schools. They had 330 paid, and 2,139 unpaid teachers, and 24,886 scholars besides 16,937 who attended their Sunday schools.

About the year 1840, Sheriff Watson established in Aberdeen what was called an Industrial Feeding School. To this all destitute boys were admitted. The scholars assembled every morning at seven in summer and at eight in winter.

The school was opened by reading the scriptures, praise and prayer, and by religious instruction suited to their years, after which there was a lesson in geography or the more ordinary facts of natural history. The rest of the day was occupied in manual work, in school work and in recreation. They received three substantial meals and returned to their homes at eight o'clock at night. The attendance was very regular, as the boys who did not attend betimes in the morning received no breakfast. A similar school for destitute girls was afterwards established. This mode of dealing with destitute and delinquent juveniles was adopted in all the chief cities of Scotland, and in many of the cities and towns of England, and was everywhere remarkably successful. Its great advantage was that it did not break or weaken the family tie, that it trained the children to habits of order, of industry, of self-restraint and self-respect and did not encourage pauperism because every child felt that he did all he could to earn what he got.

What is now called "The Industrial School" seems to have grown out of the "Industrial Feeding School." All schools of this description were supported by voluntary contributions until 1854. After that several Acts of Parliament respecting them were passed. The Industrial School Act of 1866 (29 and 30 Vic. c. 118), repealed all former enactments provided for the establishment, maintenance, management, and inspection of such schools and enacted as to the classes of children to be detained in them as follows:

Sec. 14. Any person may bring before two justices or (in Scotland) a magistrate any child apparently under the age of fourteen years that comes within the following description, namely:

That is found begging or receiving alms (whether actually or under pretext of selling or offering for sale anything), or being in any street or public place for the purpose of so begging or receiving alms.

That is found wandering and not having any home or settled place of abode, or proper guardianship, or visible means of subsistence.

That is found destitute, either being an orphan or having a surviving parent who is undergoing penal servitude or imprisonment.

That frequents the company of reputed thieves.

These provisions were found to be insufficient, and in 1880, section 1 of the Act 43 and 44 Vic., c. 15, added:

"That is lodging, living, or residing with common prostitutes, or in a house resided in or frequented by prostitutes for the purpose of prostitution."

The justices or the magistrate upon being satisfied that the charge in any case is well founded, send the child to a certified Industrial School.

Section 15 of this last Act provides that "when a child apparently under the age of twelve" is charged with an offence punishable by imprisonment, or a less punishment, but has not been in England convicted of felony, or in Scotland of theft, and the child ought in the opinion of the justices or magistrate (regard being had to his age and to the circumstances of the case) to be dealt with under this Act, the justices or magistrate may order him to be sent to a certified Industrial School."

Section 16 provides that "Where the parent or step-parent or guardian of a child apparently under the age of fourteen years, represents to two justices or a magistrate that he is unable to control the child and that he desires that the child be sent to an Industrial School, under this Act the justices or magistrate, if

satisfied on enquiry that it is expedient to deal with the child under this Act, may order him to be sent to a certified Industrial School."

In like manner refractory work-house children, apparently under the age of fourteen, may on complaint of the guardians be sent to an Industrial School.

The distinction made between children under twelve years of age and those under fourteen should be observed.

The order made by the magistrate or justices must specify the time for which the child is to be detained, not in any case extending beyond the time when the child will attain the age of sixteen years, and must name the school to which he is to be sent, and the justices or magistrate "in determining the school must endeavour to ascertain the religious persuasion to which the child belongs, and they are if possible to select a school conducted in accordance with such religious persuasion, and their order is to specify such religious persuasion." If a mistake is made in this respect, section 20 provides that it shall be rectified on the application of the parent, step-parent, guardian or nearest relative, but the application must be made before the child has been sent to such school or within thirty days after his arrival thereat.

Section 26 of the Industrial Schools Act of 1866, authorises the managers of an Industrial School to "permit a child sent there under this Act to lodge at the dwelling of his parent, or of any trustworthy and respectable person, so that the managers teach, train, clothe and feed the child in the school as if he were lodging in the school itself, and so that they report to the Secretary of State in such manner as he thinks fit to require every instance in which they exercise a discretion under this section."

Sections 27 and 28 of that Act make provisions respecting the licensing of children to live with trustworthy persons, and the apprenticing of children similar to those made by sections 18 and 19 of the Act relative to Reformatory Schools.

The Industrial Schools are for the greater part denominational. In England there are 46 Industrial Schools for Protestant boys, 38 for Protestant girls; 11 schools for Catholic boys, and 9 for Catholic girls. In Scotland the Protestants have 14 schools for boys, and 11 for girls; the Catholics 3 for boys, and 2 for girls. In England there are 4 schools, and in Scotland 4 in which the detained are Protestant and Catholic. In the Edinburgh schools of this class, and indeed, at all the others and in the training-ship schools Catholic teachers are employed for the Catholic children, and proper regulations as to their religious instruction and attendance at public worship are enforced.

There are still eight Industrial Schools in England and Scotland in which both boys and girls are received. These are called mixed schools. In some of these the boys and girls use the same school rooms and dining halls. In others they live completely apart. But even the latter are found objectionable. The Inspector says: "I have never ceased to protest, as my predecessor did before me, against mixed schools * * * The system of collecting boys and girls under the same roof and under the same management has broken down over and over again, and may be expected to do so at shorter or longer intervals as long as such schools exist."

Section 19 of this Act provides that two justices or a magistrate while enquiry is being made respecting a child or respecting a school to which he may be sent may, order the child to be taken to the workhouse or poorhouse, or where there is no such poorhouse or it is at an inconvenient distance to such

other place, not being a prison, as the magistrate thinks fit, to be detained there at the cost of the prison for any period not exceeding seven days.

A school may not be at the same time a certified Industrial School and a certified Reformatory School.

The prison authorities of any county, city or borough, may contribute to the cost of erecting, enlarging, repairing or supporting an Industrial School. Children not committed by any court are received in some of those schools on application of the parents or guardians. While in the schools they are subject to the rules of the institution and the authority of its officers.

Of the Industrial Schools, six were established by county authorities, eight including a training ship school are managed by school boards. All the others, 128 in number, including the schools of six training-ships were established by voluntary associations by which they are still managed.

The number of children sent to the Industrial Schools during the school year 1889, was—boys 3,408, girls 870, total 4,278. The ages of these children were:—

	Boys.	Girls.	Total.
From 6 to 8	126	123	249
" 8 " 10	546	181	727
" 10 " 12	1,337	290	1,627
" 12 " 14	1,399	276	1,675
	3,408	870	4,278

The total number in these schools at the close of the year was 12,861 boys, and 3,983 girls, total 16,844, besides 1,057 boys, and 216 girls, total 1,273, who were out "on license."

Of 3,264 children sent to English Industrial Schools, 2,010 were sent at the instance of school boards. Of these 644 were sent by the London Board. The school boards which have not schools of their own or which, as is the case in London, have not sufficient room in their own schools, make arrangements with the managers of association schools.

The total amount received for the support of Industrial Schools from all sources during the year was £353,827. The government allowance was £186,688; subscriptions and legacies amounted to £35,292; payments from county rates were £28,072, from borough rates, £28,072; from school boards £54,122, from parochial authorities, £1,822, payments from voluntary inmates were £3,977 and the profits from the Industrial departments, including £5,243 hire of labour, was £24,234; sundries are credited for £7,460.

The total amount received from parents in England and Wales was £10,096 15s. 6d.

The average cost of each inmate of the schools was :

Boys schools in England,	£17	18s.	11d.;	in Scotland,	£13	18s.	8d.
Girls " "	17	5s.	2d.;	"	13	7s.	4d.
Mixed " "	14	17s.	8d.;	"	13	10s.	1d.

The growth of the Industrial Schools has been very rapid. In 1864 the entire number of children in such schools at the close of the year was 1,668 ; in 1874 it was 11,509 ; in 1884, including truant schools, it was 19,383 ; in 1889, it was 21,059.

The number of inmates in some of the Industrial Schools is small ; in one it is but 14, in another 19, and in several it is less than 50, but in many the number exceeds 200, and in a few is even much larger. The "congregate" system seems to prevail in all.

Of the literary instruction in these and in the Reformatory Schools the inspector says :

"I think I may safely report that in most of our schools the educational condition is as satisfactory as can be expected, considering that nearly all the children come to us in a very ignorant state, at all ages from six to sixteen, many unable to read or write at all. Nearly all very imperfectly. When they come to us they have three hours daily devoted to secular education, and with efficient teachers and a sufficient teaching staff a child of ordinary aptitude should be able before he is discharged to read so as to understand and be understood, to write a legible and correctly spelled dictation, and have a fair knowledge of arithmetic. The child who can do this may be said to have mounted the lower and more difficult steps of the educational ladder and to have been given the power to improve himself after discharge and rise higher should he wish to do so and have it in him.

"The education is real as far as it goes, and in some schools we find extra subjects taught, and where they are, examinations are generally held in connection with the Science and Art department * * * but drawing should be taught in all * * * Religious instruction is well attended to in all the schools. Physical training is just as necessary as educational * * * Two hours are devoted daily to recreation, and it is important that they should not be spent in listless loitering about the play-ground, but in active and hearty play. I always recommend that in selecting a teacher or official, the preference should be given to one who can join and direct the boys in their out-door sports. Many of the schools have good cricket and foot-ball clubs: drill in moderation is useful and especially what is called 'setting up drill' and so is the use of the dumb-bells and gymnastic exercises." He recommends the general adoption of a newly introduced musical drill.

An examination of the reports respecting the different schools, leaves the impression that the literary work done in these schools and the results do not differ much from the work and results of the Reformatory Schools, although as there are several very young children in the Industrial Schools the junior classes must be comparatively larger The industrial occupations also are similar. Wherever the circumstances permit, the boys are employed chiefly in agriculture, the care of stock, market gardening, and fruit culture ; but some of the schools are in or near cities and towns, and in these the boys are engaged largely in mechanical industries. In most cases the boys so engaged earn little, as few have the strength or skill necessary to produce finished articles. The girls generally receive the training necessary to render them good domestic servants and good needlewomen. The conduct of the children is generally better than the conduct of those in the

reformatories, as comparatively few of them were very bad when sent to the schools. But it would be a great mistake to suppose that young children are always innocent. Some of them are very wicked and cause a great deal of trouble. The offences committed are to a great extent of the same character as those reported in the Reformatory Schools.

Taking a few of the special reports for example, we find that in the Stockport Industrial School for boys, in which there were 150 inmates, the educational work was fairly done. In standard 5 there were 15 boys, and the work was fair except in arithmetic, in which there were 6 failures; in standard 4 there were 23, and the reading and spelling were very good, and so on. Of the industrial training it is stated that the industrial activity is well maintained; 25 were employed in tailoring, 33 in shoemaking, 34 in brushmaking. Good work was done by these classes. There were smaller classes in the carpenter's and plumber's shops. A class was engaged in making children's carriages. Of conduct and discipline it is stated that no cause had been given for serious anxiety, "the boys are under good influence, and "learn to control themselves in a large degree. There was one case of theft, one of robbing in a shop, one of absconding, a few cases of quarrelling and fighting. The boys were manly and well behaved."

Of the St. Nicholas Catholic School for boys at Little Ilford, Essex, it is stated that very few schools provide more thoroughly for the necessities of the case. There were 45 boys in standard 5. In that class the reading was fair, but capable of improvement, the spelling very good, the writing excellent. In arithmetic 27 passed, 17 failed. There were 35 in standard 4. The other classes were larger. The industrial training receives careful attention—39 boys work with the tailors: 47 in shoemaking: 45 in mat making; 21 in the field and garden. Others were employed at knitting, baking, and housework. The report as to conduct is satisfactory; yet there were cases of theft, laziness, disorder, wilful damage, quarrelling and impertinence. The report adds that the boys were well in hand, and managed with much tact, special experience, and wisdom.

Of the Church Farm School at East Barnet, Herts, which had 85 boys of whom 64 were on the voluntary list, we are told that education was carefully attended to, that there were 22 boys in standard 6 whose work was most creditably done, 25 in standard 5, and 17 in standard 4. The industrial occupation is chiefly agriculture; a farm of 50 acres is attached to the school, and the garden is large. The boys take care of 8 milch cows, and of pigs, poultry, etc. There are also a tailoring class, and a class that make and mend boots. Natural history and the science of agriculture are taught in the school. This is manifestly a superior school, and the boys are said to be generally good, yet there were one serious case of stabbing with a knife, one case of gross immorality, two cases of absconding, and "more cases of petty theft and dishonesty than is desirable."

The largest of these schools is that of the London County Council at Feltham in which there were 643 boys resident on the day of inspection. It is schools is expensively conducted, the net cost per head being £25 7s. 1d. per annum. The work of education, the report says, was carefully and accurately done. 35 boys had passed standard five, and 69 were in that class. In standard four there were 118 in standard three, 183 in standard two, 181 in standard one, 57. Of the results of the examination no particulars are given. Of the industrial training it is stated that 50 boys were working as tailors, 31 as shoemakers, 16 as carpenters, 9 as painters, 8 as smiths, 10 as bricklayers, 8 as engineers, 12 as cooks, 11 as bakers, 80 on the farm, 229 in general agricultural employment, 80

in the seamanship division, 12 in the laundry, 28 as menders and repairers, 24 as shirt and sock makers, and 5 were employed in miscellaneous work. "The technical instruction is of the utmost value, and a benefit to the boys themselves." The boys drill well, and receive instructions in gymnastics. The conduct of the boys was reported satisfactory. "The boys were well in hand. Discipline is strictly maintained * * * There is little or no insubordination of a serious character. But a handful of incorrigibles sometimes assert themselves and require to be sharply dealt with * * * Some cases of bullying, defiance of officers, impudence, petty theft, and a few cases of absconding."

In some schools the system of marks is found to work well, and boys can earn from one penny to two pence a week by gaining marks. In several there are good bands.

The staff including principal, assistant teachers, trade instructors, farm instructors, and all others, number about one to every twelve boys: in some cases not more than one to fifteen.

Sometimes a school is exceptionally bad. Of a boys' refuge in Liverpool it is said "there has been neither order nor discipline during the year. A want of proper authority and no control. There have been 77 cases of absconding, and in 6 cases the boys remained undiscovered. One boy was sent to prison and one to a Reformatory school for theft. Punishment has been extremely severe, and has produced no result. It is not punishment that is wanted, but judicious management, of which there has been none."

The *Cumberland* one of the six ships in which boys, besides receiving a literary education, and in some cases learning a trade, are trained to seamanship, was burned on the night of February 17th. There were 360 boys on board when the fire broke out. It was found on enquiry that the ship had been set on fire, and as the doors were locked and the keys concealed, "little could be done to prevent the destruction of the vessel." The crime was brought home to five boys who were "handed over to the civil powers." It would seem that others must have been implicated.

But although there was so much misconduct in nearly all those schools and although several of the inmates were vicious, many of the children had not previous to their commitment contracted very bad habits, or had made little progress in vicious ways. It was to be expected therefore that their record, when sent out into the world, would be better than that of the youths sent from the Reformatories. The returns for the years 1886-7-8 show that the total number discharged from the Industrial Schools was 9,178 boys and 2,221 girls, total, 11,399. Of the boys 168 had died, and of the girls 43. The remainder are classified as follows:—

Of the boys—

7,550,	or about	84	per cent.	were doing well.
224,	"	3	"	doubtful.
416,	"	5	"	convicted or recommitted.
820,	"	6	"	unknown.

Of the girls—

1,805,	or about	83	per cent.	were doing well.
157,	"	7	"	doubtful.
29,	"	1	"	convicted or recommitted.
187,	"	9	"	unknown.

Much care seems to be taken in providing employment for the children when their term of detention has expired. The discharges from the Industrial schools in 1889 were—boys, 3,097; girls, 885; total, 3,982. They are accounted for as follows:—

	Boys.	Girls.	Total.
To employment or service	1411	538	1949
Placed out through friends	850	246	1096
Emigrated	159	27	186
Sent to sea	440		440
Enlisted	96		96
Discharged as diseased	43	17	60
Committed to Reformatories	25	8	33
Died	51	46	97
Absconded not recovered	22	3	25
Total	3097	885	3982

In many instances children are allowed to remain in the schools, after their term of detention has expired, until employment is found for them in suitable places. At Dundee there is a Working Boys' Home in connection with an industrial school. A number of boys discharged or licensed work in the town during the day, and are boarded and lodged in the Home under the care of a superintendent and his wife.

Truant Schools.

Under the present school law truancy became an offence in Great Britain, and the establishment of truant schools was found necessary. There are now ten of these schools in England under the management of school boards. To them are sent children who, after repeated warnings, have failed to make a satisfactory number of attendances at the ordinary day schools. The terms of detention vary from a few weeks on first committment to a few months if the first or subsequent committals have not the desired effect. In some of these schools drill is substituted for play, and in some every boy has to undergo a limited period of confinement in light cells. In others there are no cells, and some play is permitted. The Inspector "fails to see that the more strictly managed schools can show better results" than the others. Of the 4,130 boys sent to those schools from the time of their establishment up to December 31st, 1889,

2,606 boys were admitted for a second time.
1,017 " " third time.
391 " " fourth time.
187 " " fifth time and upwards.

The admissions during 1889 were 1,532 boys, the discharges 1,141, and the number in the schools on December 31st was 780. There were 3,199 on license. The average cost per head was £17 9*s.* 1*d.* per annum, borne by the government and the school boards. The average length of detention was about 95 days. Where there are no truant schools incorrigible truants are sent to the industrial schools. It is suspected that in many cases parents encourage their children to play truant in order to be relieved of their charge. Much difficulty has been experienced in enforcing the truancy sections of the school law, and in some cases they have worked great hardship.

The Superintendent of Public Schools in the State of New York wrote to the United States Minister at the Court of St. James, asking for such a statement of facts relating to the public school system of Great Britain as may be of service in framing a system by which the attendance at schools of vicious, idle and indifferent children could be secured. To this Mr. R. P. Phelps, second secretary of the United States legation, replied in a letter dated London, September 28th, 1888. In this letter—which is published in full in No. 7 of the New York Legislative Assembly papers of 1889—Mr. Phelps describes the passing and amendments of the Act of Parliament under which the present English school system has been established. He states that the "districts are under the supervision of a School Board, which has entire control of the schools in the district, and has power to make by-laws in regard to attendance"; and he says:

"The children are obliged to attend whenever the schools are in session, subject to various by-laws which have been made with a view to facilitating their employment in earning their daily bread. In this connection is heard a good deal of unfavorable criticism of the compulsory system. It is argued that it is wrong to compel the attendance of a child at school when such attendance keeps him from legitimate employment by which he is enabled materially to contribute to the support of his family, when every little is necessary. There may be some foundation for complaint on this score in certain cases, but this compulsory system certainly keeps a vast number of children employed who would otherwise be idle and in the streets.

"And then, too, there are proper allowances made by means of by-laws, etc., for those cases where the children are absolutely required for work. For example, there are instances, more especially in the agricultural districts, where a child of ten years or upwards having passed a satisfactory examination of a certain standard in reading, writing and elementary arithmetic, can, during the term of his employment, attend school on half time, say three afternoons a week. There are various laws of this nature by which children can attend school on half-time rules.

"The attendance of the children in the various districts is looked after by regular officers of the Education Department called attendance officers. They keep up a continuous canvass of the district and report the non-attendance of any children to the proper authorities. This is made tolerably easy by means of the school register, which is called over every morning at school, and so the absentees are detected and attendance officers are sent to hunt them up.

"The parents of the children are held solely responsible for their attendance at school, and for neglect of their duty in this respect they are subject to a summons before a court of summary jurisdiction on complaint made by the local authority, which may order as follows:

"In the first case of non-compliance if the parent of the child does not appear, or appears and fails to satisfy the court that he has used all reasonable efforts to enforce compliance with the order, the court may impose a penalty not exceeding with costs five shillings; but if the parent satisfies the court that he has used all reasonable efforts, the court may, without inflicting a penalty, order the child to

be sent to a certified day industrial school. In the second or any subsequent case of non-compliance the court may order the child to be sent to a certified day industrial school, or to a certified industrial school, and may further in its discretion inflict any just penalty as aforesaid; or for each non-compliance inflict such penalty without ordering the child to be sent to an industrial school. . . The managers of any industrial school to which a child is thus sent may if they think fit, at any time after the expiration of one month after the child is so sent, give him a license to live out of school, but the license shall be conditioned upon the child attending as a day scholar in such regular manner as is specified in the license, some such school willing to receive him and named in the license and being a certified efficient school. These schools are under the direct control of the government and not subject to the Educational Department except in directly. If the Secretary of State is satisfied that owing to the circumstances of any class of population in any school district a school in which industrial training, elementary education, and one or more meals a day but not lodging are provided for the children, is necessary or expedient for the proper training and control of the children of such class, he may certify any such school in the neighbourhood of such population to be a certified day industrial school.

"There is one other class of schools which is designed expressly for truant boys. The best sample of these is Upton House, in London. The plan adopted by the Board for dealing with truants is as follows: Boys are sent to Upton House by the magistrates, generally until they shall arrive at the age of sixteen years, but in some cases for short periods only, viz.: for six weeks or two, three or four months. The usual course, when the term of detention is for a sufficiently long period, is to license the child out at the expiration of ten weeks on the condition that he attends a certified efficient school regularly. It then becomes the duty of the teacher of the school at which he attends to send a post card to the head office on every Friday afternoon, giving particulars of the boy's attendances. If his attendance continues to be satisfactory for a period of nine months, application is made to the Home Secretary that the boy may be discharged. If, however, the teacher's report shows that the boy has not attended regularly, an officer is at once sent to visit the boy's home, and to warn the parents that if the boy does not attend with regularity the license will be revoked. In many cases this warning is effectual; but should the boy continue to be irregular in his attendance his license is revoked and he is taken back to school. On this occasion his period of detention extends to about three months, after which the boy is again licensed out. If his license is revoked a second time his next period of detention is still longer. It results that boys are usually cured of their habits of truancy without any necessity of the revocation of their licenses; but if, as happens in some few cases, three or four revocations of a boy's license are ineffectual, an application is made for the boy's discharge and fresh proceedings are taken in order that he may be sent by a magistrate to an ordinary industrial school. These facts," adds Mr. Phelps, "I have selected from the various reports of the London School Board and the Acts of Parliament on this subject."

Day Industrial Schools.

These schools are conducted upon the principles of the Day Feeding Schools, established originally in Aberdeen. The first was licensed by the Secretary of State in 1887. There are now fifty-one of these schools in England. The average attendance last year was 2,509. The Leeds School Board was building a second school of this class in one of the most crowded quarters of the town. A third is to be provided, and when that has been built some members of the School Board think that they can

do without the industrial school. In 1873 Mr. Sydney Turner reported that for a considerable portion of the children sent to industrial schools "a much cheaper and simpler form of institution, in fact a good day feeding school with fair means of instruction and employment, would answer the end in view as well as the present costly industrial schools." The present inspector says that experience has shown this opinion to have been well founded, and thinks that the time will shortly come when such schools will form part of every school board system. It is remarkable that there are but three day industrial schools now in Scotland, where the idea of such schools originated and was first successfully carried out. These three, established by authority of a special act of parliament, are all in Glasgow.

These day schools provide for the control and training during the day of disorderly or neglected "children generally belonging to what has been described as the Arab class," at a very low cost to the public, and without taking them away from their homes, to which they return in the evening. It may be taken as a rule that the homes are poor rather than criminal. Three meals are provided—breakfast, dinner and supper. The schools are all well managed. The Inspector says, "the results of the examinations have, without exception, been most satisfactory. * * * Day industrial schools are always pleasant schools to visit. The children invariably look cheerful and seem anxious to do their best, and there is an atmosphere of life and energy about them which one sometimes misses in the more expensive schools of detention. The clothing is none of the best; it is the children's own, and is consequently open to criticism both as regards quantity and quality; but every attention is paid to cleanliness; baths are supplied in every school and are regularly used, and every exertion made to induce the children to keep themselves as neat as circumstances will permit. Much industrial work cannot be done, but some employment is always found for the boys in working hours, most frequently in wood chopping. In one of the Glasgow schools the managers have introduced brush making, and very good work is turned out. The girls are taught to sew and knit, and some of them help in the kitchen, house work and laundry."

The admissions in 1889 were 2,075; the discharges, 1,670.

The total receipts were £23,086, of which the government contributed £6,084; the school boards and local authorities, £11,175; parents, £2,633, and Guardians of the Poor, £1,091.

The average cost per head was £9 5*s.* 8*d.* in England, and £7 16*s.* 10*d.* in Scotland. Of this £3 8*s.* 7*d.* was for food in England, and £3 1*s.* 11*d.* in Scotland.

The results after discharge from these schools can not be accurately judged, as the children are more or less lost sight of. But of 11,697 boys admitted from the opening of these schools in 1877 to December 31st, 1889, 203 were sent to reformatories at various times, and 1,199 to industrial schools. Of 6,928 girls so admitted 8 were sent to reformatories and 231 to industrial schools.

These are the schools, Inspector Inglis says, in which school boards should chiefly interest themselves.

The Day Feeding Schools, supported by voluntary contributions, still exist in Aberdeen and other cities. There was some difference of opinion in those places as to the expediency of allowing the children to go home at night, but the prevailing opinion, as Mr. Tallack ascertained, is that the results are, on the whole, beneficial. Differing in this essentially from the reformatory and industrial school systems, the Aberdeen system carefully cherished and insisted upon the exercise of parental responsibility, at least to the extent of providing lodging and clothes for their offspring during the whole time of their training. * * * In a letter addressed in 1887 to the Howard Association by Mr. P Esslemont, M.P., of

Aberdeen, he remarked "The Day Feeding School system in Aberdeen, instituted by Sheriff Watson, is still in existence, and has been tried by experience and proved to be sound and singularly successful. It combines help to the poor without breaking up the divine institution of family life, that tie which binds humanity together."

Workhouse Schools.

Any notice of the present English system of prevention and reformation would be incomplete that did not state what is done for the pauper or workhouse children. The number of children permanently resident in the workhouses of England was very large a few years ago, and their peculiar characteristics were such that the great majority were unable to take care of themselves or to make their way in the outer world. When sent out many joined the ranks of those who lived by vice and crime, or returned to the workhouse to live as paupers. Unruly self-willed, prone to violent outbreaks they lacked self-reliance and the power of thinking for themselves. And they numbered tens of thousands. Those known as "ins and outs" who went to the workhouse frequently and remained but a short time at each visit were deeply steeped in wickedness. It became evident that a special effort must be made to change the character of these children for the better and relieve the ratepayers from the burden of supporting a class of hereditary paupers. It was decided that they must be removed from the pauperising and other evil influences of the workhouse and schools were constructed for their reception under authority of an Act of Parliament passed in 1844 and amended in 1848. In a few cases the cottage system was adopted, and with results comparatively satisfactory. In most cases large buildings were erected by each poor law union or parish, in which case they were called "separate," or by a number of unions or parishes, in which case they were called "district schools." In some of the larger schools the number of scholars was from 500 to 1,000. In one instance it reached 1,800. The literary instruction was all that could reasonably be expected, and the scholars in many cases were bright and clever. The religious instruction and training were also carefully attended to; but the results were not satisfactory. Miss Florence Hill, in a late edition of her book, "The Children of the State," says (p.p. 56-8): "The want of alertness and general capacity and adaptability characteristic of the pauper class prevails in the big school whether it be in the workhouse or miles away. The children accustomed to an unbroken routine become dull, apathetic and unable to accommodate themselves to different conditions or any kind of change. . . Strangers indeed, we believe are invariably pleased by the neatness, order and discipline which usually pervade these schools—all good in their way—tending to create an *esprit de corps*, in some measure a substitute for the bond of family affection, but they must not be permitted to destroy individuality, and limits, within which they can be safely employed, are soon reached. 'By training a child as one in a hundred,' says Miss Hesba Stretton, 'we produce a machine and generally a bad machine.' Enforced uniformity in every detail of daily life, however important or however trifling, among creatures varying in mind as much as in body, though seductive to the disciplinarian is blighting to those subject to its laws. Undoubtedly some mysterious charm affects the beholder in witnessing many hundreds of children dressed alike, acting in unison and rendering instant obedience to the word of command; but even amid the tears that dim our eyes when their young voices implicitly following a sign from their teacher join in the merry song or evening hymn, we are constrained to ask—How will individuality of character develop itself from this complete subjection to the will of others from the routine of duty

which leaves open no temptation to wrong and annihilates the choice of right ?" The individual, says a writer, "becomes a mere cog in an engine of many wheels, whereas in real life it has itself to be a many wheeled engine." When they go out their want of energy, their stupidity, their inability to act alone, their intense unreasoning, unaccountable obstinacy and their sullenness are causes of frequent complaint. The law at one time required that for two years after they were placed out the relieving officer or chaplain should visit them frequently and learn and record their employers' opinion of their conduct. The chief trouble of these officers was that the girls frequently disappeared making supervision impossible. The failure of those large schools gave a great impetus to the boarding out system which had been advocated for some time and which has been largely adopted in England, Scotland and Ireland. Miss Hill, who is an enthusiastic advocate of that system, maintains that wherever tried it has proved eminently successful.

Notwithstanding all these provisions for the care of the indigent, the destitute and the viciously inclined, philanthropic associations, such as those represented in this country by Dr. Barnardo, Miss Rye and Miss Macpherson, seem to have an ample field for their operations.

Probation Laws.

The opinion that in many cases better modes of punishing or preventing offences, than imprisonment may be found, has gained much ground in England. The Summary Jurisdiction Act of 1879 not only increased the powers conferred on magistrates by the Juvenile Offenders Act of 1847, to dismiss young persons on admonition and without imprisonment in certain cases, but also permitted the substitution of fines instead of detention for various offences under the Acts relating to poaching, vagrancy, public health and even to some felonies. The previous scale of sentences for several offences was also reduced by this Act and it obviated many imprisonments of poor persons by authorising the fines to be paid gradually by instalments. In 1887 an Act was passed entitled in the Statute book, "An Act to permit the conditional release of first offenders in certain cases:" this as is provided "may be cited as the Probation of First Offenders' Act, 1877." The Act says: "Whereas it is expedient to make provision for cases where the reformation of persons convicted of first offences may by reason of the offender's youth or the trivial nature of the offence be brought about without imprisonment, be it enacted, etc.

"In any case in which a person is convicted of larceny or false pretences or any other offence punishable with not more than two years' imprisonment before any court, and no previous conviction is proved against him, if it appears to the court before whom he is so convicted that regard being had to the youth, character and antecedents of the offender, to the trivial nature of the offence and to any extenuating circumstances under which the offence was committed, it is expedient that the offender be released on probation of good conduct, the court may, instead of sentencing him at once to any punishment, direct that he be released on entering into a recognizance, with or without sureties, and during such period as the court may direct to appear and receive judgment when called upon, and in the meantime to keep the peace and be of good behaviour." Another section provides that "the court before directing the release of an offender under this Act shall be satisfied that the offender or his surety has a fixed place of abode or regular occupation in the county or place for which the court acts or in which the offender is likely to live during the period named for the observance of the conditions." It is not made the duty of any one in particular to see that the conditions are

observed, but any court competent to deal with the offender in respect of his original offence, if satisfied by information on oath that the offender has failed to observe any of the conditions may issue a warrant for his apprehension, and after due process he may be sent to receive judgment in the court before which he was bound to appear.

There has scarcely been time to test the effect of the Act of 1887, but Mr. Tallack says that "these two Acts together, with the collateral measures for the committal of delinquent and neglected youth to reformatories and industrial schools, have already materially contributed towards that diminution, both of prisoners and of gaols in Great Britain, which is a gratifying feature of the age. Especially satisfactory is the approximate abandonment of the imprisonment of children in this country of late years. In proportion as the gaol has been less used than at a former period, it has been proved that other ways of disposing of offenders at once less costly and less degrading have been found practically advantageous." May this lesson be profitably pondered.

Reformatories in Ireland.

The account of the reformatory and industrial schools in Ireland furnished by the judicial and criminal statistics is very meagre and unsatisfactory. The number of children on the rolls of the reformatory schools at the end of 1877 was—

	Boys.	Girls.	Total.
In school	728	138	936
On license	40	2	42
Retained in school sentence expired	1	..	1
Absconded sentence unexpired	12	..	12
In prison	..	2	2
	781	142	925

The total number at the close of the previous year was 1,029.

The total number committed during the year 1887 was 146 boys and 32 girls, total 178, a decrease of 25 as compared with the year previous. Of these, 5 boys and 2 girls were illegitimate or deserted; or both parents were destitute or criminal; 64 boys and 13 girls had both parents alive; 64 boys and 16 girls had one parent dead and 13 boys and 1 girl were total orphans

Of the 178 committed during the year, 69 boys and 13 girls could neither read nor write; 63 boys and 19 girls read imperfectly and 14 boys could read and write well

Industrial Schools in Ireland.

The total number of industrial schools in 1877 was 69, being an increase of 3 as compared with the year before.

The number of children under warrant of detention in those schools at the close of the year was—

	Boys.	Girls.	Total.
In school	2984	4289	7273
On license	277	374	641
Absconded	11	1	12
Retained in school, sentence expired	12	53	65
	3274	4717	7991

The 65 children were by their own consent retained until places could be found for them.

1,311 children were placed in these schools during 1877. Their ages were—

	Boys.	Girls.	Total.
Under 6 years	7	29	36
6 and under 8 years	151	214	365
8 and under 10 years	164	171	335
10 and under 12 years	205	151	356
12 years and upwards	113	106	219
	640	671	1311

The number sent to these schools in 1886, was 624 boys and 901 girls total 1,525.

Other European Systems.

The efforts to rescue children from vice and crime have made great progress in all the countries of Europe since the necessity for organizing those efforts and strengthening them by the assistance of the States has been recognised. Much good was done at various times by individuals and by charitable associations but the want of sufficient means and of sufficient authority were in every case insurmountable obstacles to growth and to permanent success. The establishment of the Rauhe Haus, at Horn, near Hamburg, by Wichern, in 1833, may be regarded as the foundation of the modern system in Germany, and all northern Europe. It was intended that this "should be not a work-house, or an orphanage, or a place of punishment, or a house of correction; but an "institution that allied itself to the family, to the gospel, to the forgiveness of sins, to the first and last thought, that is, to the essential nature and work of Christianity." "The fundamental idea of the Rauhe Haus," says Dr. E. C. Wines, "is that of the family and it is the mother of all those child-saving institutions of which the number is continually increasing, that have since been organized. Not through the aggregation of the barracks (such was Wichern's thought), but only through a society agreeable to nature, that is, the family can, the life of the individual be normally developed" Wichern opened the establishment with three boys, in a rough frame cottage, in which he and his mother exercised the authority of parents, and when the number of inmates had increased to twelve, and others sought admission, he did not enlarge that cottage but built another, and as applications for admission increased, he built yet others. He attached the utmost importance to providing the best possible substitute for the influences of family life and the better to secure this, when the number of boys became large he established a sort of religious brotherhood, who, devoting their lives chiefly to the work exercised, it is said, a most beneficial influence on the boys with whom they continually lived and worked. Members of this brotherhood have since been invited to take charge of prisons and reformatories in Prussia and elsewhere.

There are to-day, in Germany, a large number of what perhaps may be called private reformatories, conducted on Wichern's system. These receive no aid from the State. Such means as they have and such authority as their managers wield are derived from the parents of the inmates. But the public reformatories and refuges are conducted on the same principles, except that correctional institutions for juvenile delinquents are established by the State primarily for the purpose of punishing the offenders according to law, although the punishment is varied according to the crime committed.

We find, in Germany, Dr. Wines says (p. 693) hardly an institution in which Protestant and Catholic children are mixed; in one or two cases this was tried, but soon discontinued. The average age for the reception of the inmates is from eleven to twelve, but the younger will be below, while the older will be above this average. The general disposition is to discharge them between the ages of seventeen and eighteen years.

Writing in 1880, Dr. Wines said that so far as he could ascertain there were at that date "a total of about three hundred and sixty child-saving institutions of all the different classes in the several States composing the German Empire. More than three hundred of these have been established since 1848. This rapid increase is due to the memorable events of that year which opened the eyes of both Christians and patriots to the perils of communism which threatened to destroy all social ties."

The great agricultural colony at Mettray (France) has been much more frequently spoken of than that of the Rauhe Haus, probably because of its extraordinary success. Demetz, moved by the forlorn, hopeless condition of the children who were brought before him as criminals, resigned his seat as judge to devote his life to the rescue of the unfortunates. It is said that he found in the Rauhe Haus the model he sought. He certainly adopted the cottage system, although, perhaps through necessity, he placed from thirty to forty boys in each cottage. In both schools and in all the institutions established on their model, the chief object is to cultivate the personality of each boy, to repress, and, as far as possible, extirpate what is evil, to draw out, cultivate and strengthen what is good: and the chief means relied on are the influence of religion and the intimate and affectionate relations established between each boy and the person immediately in charge of him. No person is regarded as fit for such a position who cannot win the confidence and gain the affections of the boys entrusted to his care, or who has not the faculty of guiding the boys imperceptibly, but firmly and steadily on the way which must surely lead to good results. In both schools the boys are chiefly engaged in agriculture, but in several of the schools founded on their model, many work at the trades and occupations best suited to the institutions and to the localities in which they are situate. It is said that ninety-five per cent. of all the boys received and treated at Mettray during the first forty years of its life were saved to themselves and to society. This seems almost incredible.

"The whole number of establishments in France founded substantially on the model of the Mettray, though scarcely any of them equalling it either in the completeness of its organization or the splendor of its results, was, in 1880, fifty-two, of which thirty-two were for boys and twenty for girls. They are of varied character, and of course yield fruits differing both in excellence and abundance, but all are doing a good and useful work. But these are not the only reformatories and child-saving institutions in France. Religious and other organizations do much good work with or without the co-operation of the government." "Legion," says Dr. Wines, "is the name of the associations and agencies employed in this work, including adoption, maternal societies, infant nurseries, infant schools, kindergarten schools, industrial schools, societies in aid of apprentices, apprentice schools legislative safe-guards thrown around children employed in factories etc. . . . Who, after this recital, will say that the French are a frivolous people?"

The French law holds that children under fourteen years of age cannot be guilty of crime because they are without discernment. But offenders acquitted for that reason are sent to a reformatory. Nearly all the children entrusted to the reformatories have committed criminal acts or have been acquitted of crime

because of their age. The importance of having industrial schools to which children who commit no serious offence may be sent is felt, and efforts to supply this want have been made.

Switzerland has nearly a hundred reformatory institutions, some founded by the cantons, others by charitable associations. The number of inmates is about three thousand, of whom about one-third are girls. Belgium has four principal institutions for juveniles, two for criminals and two for vagrants and children viciously inclined. Holland has a reformatory for boys on the cottage plan, which is considered a model. It is an agricultural colony, and is a close imitation of Mettray, but each cottage accommodates only fifteen boys. It is alleged that of the boys who pass through this not more than two per cent. become criminals. Italy has four houses of correction for young convicts who are still in their minority, and thirty-three institutions, chiefly private, for idlers, vagrants and youths admitted, by parental request, for correction. Ten of these are for girls. Denmark has three institutions on the model of Mettray, founded by private benevolence. Sweden and Norway, Russia, Finland, Poland, Austria and Hungary have "entered with zeal and energy upon the organization of systems of prevention and of reformatory institutions."

United States Systems.

In the United States, as in Europe, the first organized efforts for the rescue or reformation of juveniles were made by private associations. In 1818 an association for the prevention of pauperism was established in New York. This afterwards became a society for the reformation of juvenile delinquents. In 1825 this association obtained an old barracks standing near the site on which now stands the Fifth Avenue Hotel, and converted it into a house of refuge, in which, at the opening, they placed nine squalid children. Little more was done for some time. Boston followed in 1826, and Philadelphia in 1828. In 1835 a farm school was opened for orphans and poor children on Thompson's Island in Boston harbour. The State reform school was established at Westborough, Massachusetts, in 1847, and in 1855 the first girl's reformatory was founded at Lancaster in the same State. This was organized on the family plan. There were, at first, three separate houses with thirty girls in each, under the control of a matron, all under the supervision of a male superintendent. "There are now," says Mr. Gower, principal of the Lansing, Michigan, reformatory, "about fifty juvenile reformatories in the United States. . . . . There are about 15,000 inmates in all those institutions, one-fifth of whom are girls." All but four are in the Northern States.

The Massachusetts System.

Massachusetts moved slowly at first in the work of juvenile reformation. Following the example of older countries she strove to gather vicious and neglected and destitute juveniles into large institutions and she employed training ships as reformatories. All this has been essentially changed. Mr. Wrightington, superintendent of indoor poor, in his evidence before the commission said "when Massachusetts was only half its present size we had a reform school with 600 boys, and two school ships full. Now we have got one school and no ships, and the school has only got one hundred and odd inmates. Why? Because we have attended upon the courts and prevented committals to those institutions. We saw there was no use committing them to such establishments when we could put them out to their own homes on probation, or into families with constant surveillance and visitation with a provision that if they are worthless they may be subsequently recommitted."

Probation is the peculiar feature of the Massachusetts system, and it seems remarkable that it was not used when the work of saving and reforming juveniles was first undertaken, and that it is not carried farther now. From the first settlement of New England, and for many years after, each community asserted and through its selectmen or otherwise exercised, the right of safe guarding its morals, by watching closely and vigilantly the conduct of families and individuals and imposing severe penalties for offences of omission or commission. The probation officer and his assistants now discharge some of the duties which the selectmen undertook even in Boston a few years ago.

The law relating to the appointment of probation officers provides that the aldermen of any city or the selectmen of any town may establish the office of probation officer and fix the salary. The mode of appointment is prescribed and the powers of police officers are conferred on the person so appointed. It is provided that:

"Such probation officer shall carefully inquire into the character and offence of every person arrested for crime in his city and town for the purpose of ascertaining whether the accused may reasonably be expected to reform without punishment and shall keep a full record of the results of his investigations.

"Such probation officer, if satisfied upon investigation that the best interests of the public and of the accused would be subserved by placing him upon probation, shall recommend the same to the court, and the court may permit the accused to be placed upon probation upon such terms as it may deem best having regard to his reformation.

"The person thus released shall be furnished with a written statement of the terms of his probation, and the probation officer shall keep a record of the same, and of his conduct during said probation."

The mayor and aldermen of Boston may appoint two additional officers and the duties of each probation officer in that city are thus prescribed:

"He shall attend the sessions of the courts held within the said county (Suffolk) for criminal business, investigate the cases of persons accused or convicted of crimes and misdemeanors and recommend to the courts the placing on probation of such persons as may reasonably be expected to reform without punishment. He shall have a place in the office of the superintendent of police, and be under his general control. . . . He shall also as far as practicable, visit the offenders placed on probation by the court at his suggestion and render such assistance and encouragement as will tend to prevent their again offending. Any person placed upon probation on his recommendation may be rearrested by him upon approval of the superintendent of police without further warrant and again brought before the court, and the court may thereupon proceed to sentence or may make any other lawful disposition of the case."

It shall be the special duty of every probation officer to inform the court as far as is possible whether a person upon trial has been previously convicted of any crime.

"Every probation officer shall make a return to the Commissioners of Prisons monthly, showing the name, age, sex and offence of each person placed upon probation on his recommendation with such other particulars as they may require and the result in each case when completed.

"Nothing in the preceding sections shall authorize a probation officer to interfere with any of the duties required of the visiting officer of the board of lunacy and charity, under the provision of the law relating to juvenile offenders."

The laws of Massachusetts provide that complaint may be heard against any boy or girl between the ages of seven and seventeen, but no "court or magistrate shall commit any child under twelve years of age to a gaol or house of correction,

to the house of industry of the city of Boston or to the State workhouse in default of bail or for non-payment of fine and costs, but to the custody of the State Board of Lunacy and Charities." They provide also that "police, district and municipal courts shall try juvenile offenders separate and apart from the trial of other criminal cases at suitable times to be designated therefor by said courts, to be called the session for juvenile offenders, of which session a separate record and docket shall be kept."

"When any such boy or girl is so brought on such complaint . . a summons shall be issued to the father of the boy or girl if living and resident within the place where the boy or girl was found . . and if not then to the mother . . or the lawful guardian . . or the person with whom the child resides

If the court or magistrate is of the opinion that the boy or girl should be sent to a public institution or committed to the custody of the State Board of Lunacy and Charity, should the complaint be sustained by evidence, notice shall be given in writing to the said board which shall have an opportunity to investigate the case, attend the trial and protect the interest of or otherwise provide for the child.

"The court or magistrate . . upon request of the State Board may authorise said Board to take and indenture or place in charge of any person or in the State primary school, or if he or she grow unmanageable to commit to the reform industrial school such boy or girl till he or she attains the age of twenty-one years, or for any less time. And said board may provide for the maintenance of any such boy or girl so indentured or placed in charge of a person in whole or in part at a cost to the State not exceeding the average cost of the support of children at the State primary school."

The agent of the board, or the probation officer as he is generally called makes careful enquiry into the circumstances of the case, and the condition and character of the child and the character of its parents, and if the charges made be proved, the court is usually guided by the advice of the officer If the parents are not dissolute or of bad character generally, the child is usually placed on probation with them, with the understanding that strict watch will be kept and if they fail in their duty, or the child prove uncontrollable, he will be taken from them and placed elsewhere or sent to an institution. If the officer report that the parents are unfit to take charge of the child, the board is authorised to place him with respectable persons willing to receive him on the terms prescribed by law and by the regulations of the board. Only when the child has committed some serious offence or is known to be of depraved habits is he sent to the Reformatory or Industrial School, at Westborough. From that he is sent out by the trustees as soon as they are of opinion that training and instruction have rendered it safe, and a suitable place can be found for him. Girls who are unfit to be placed out are sent to the Reformatory at Lancaster. The children thus placed out continue to be wards of the State until they reach the age of twenty-one, and careful watch is kept over them for some years, and especially over the girls by the paid male agents of the board and by the unpaid committee of ladies in each district. Children who have committed no offence but who the court, after hearing evidence, decides are neglected, are also placed under the guardianship of the board. The guardians of the poor are responsible for the proper care of pauper children who have legal settlements in the State. These may remain with their mothers in the alms houses until they are three years of age, when they must be sent to the primary school or placed in some family. Pauper children having no settlement are cared for by the State Board.

The number of children out in families from the Lyman or Westborough Reform School for boys, is 216 : the children out from the Lancaster school for

girls, 133; the children "out" in custody of the board, who never were in an institution 273, and the neglected children 265—in all 887 children placed out in families as boarders or otherwise, who are under the probation system. Last year 2,258 children were arraigned for one offence or another or as neglected children. Of these 117 were sent to the Boys' Reformatory, 69 to the Girls' Reformatory, 134 were fully committed to the custody of the State Board, and 586 were allowed to return to their homes on probation for certain terms, which, if they behaved well, would be extended. The 134 were placed absolutely under control of the State Board, who deal with them as they think best.

The State spends about $18,000 a year in paying for the board of children in homes. The rate usually paid is $1.50 per week until the child is ten years of age. After that arrangements are made under which the child's work is accepted as payment for board and clothing; the education of the child is provided for and further remuneration as the child advances in years.

The number of pauper children under the care of the overseers of the poor on a day named was 506 in alms houses (all under two years of age) and 705 in homes and asylums. The State provided for seventy-five pauper children who had no legal settlement.

Mr. Pettigrove, secretary of the State Board of Prisons, describing the probation system, said: "A boy is taken into the court and adjudged guilty of a certain offence and instead of committing him to any institution where he can come in contact with other offenders or to prison, he puts him under charge of a probation officer. In that case his liberty is not restrained, but it is required that he shall keep out of bad company, that he shall not be out late at night, that he shall report himself once or twice a month as the case may be. Sometimes this simply means keeping a boy in his old home, in his old surroundings, but not necessarily, because in many cases when the home is unsuitable the boy is taken away and a home is found for him, where he is employed under the supervision of the probation officer, who watches him for six or twelve months, as the case may be. Last year in the central district Mr. Savage took under his care nearly 1,200 cases and only 60 of these were reported as having violated the terms of their probation. Of these fifty surrendered to the court, and ten ran away." This method of dealing with juvenile offenders, Mr. Pettigrove regards as the best that can be devised, if it is thoroughly carried out. He said "I have great faith in probation—more than anything else, for this reason, that you do not associate the boys together, you have not the contaminating influence of bad boys nor their pernicious communication." He would not send more than one offender to board in a family, and great care, he said, is taken to select suitable families. The congregate system, he thinks, has a bad effect, and brings out all the bad qualities of a boy. One bad boy soon contaminates a whole class, and may contaminate a whole school.

Miss Putnam a member of the Board of Trustees of State primary and reform schools, when asked if under the system of boarding out children are ever subjected to cruel treatment, said; "After the boy or girl is placed out, he or she is visited, if a boy by a salaried visitor, if a girl by a voluntary lady visitor. The children who are sent out into families are supplied with writing materials and stamps and are asked to write to us if they are dissatisfied and their complaints are investigated. I went to Worcester, driving six miles, the other day, to see a man who would be the employer. I saw a boy taken into the family, and I saw the mother and had a long talk with her as to just what care she would give the child. I looked at her to see if she would be a likely person to entrust with

a little girl, and, being satisfied, I recommended that a child be sent there from Monson. The visitors, both salaried and volunteer, are entrusted with investigating all complaints and inspecting the places where the children are placed."

The law provides that neglected infants having no known settlement in the commonwealth shall be provided for by the State Board of Lunacy and Charity. Of other neglected children the law says:

"Whenever it shall be made to appear to any court or magistrate that within his jurisdiction any child under fourteen years of age by reason of orphanage or of the neglect, crime, drunkenness, or other vice of his parents, is growing up without education or salutary control and in circumstances exposing him to lead an idle and dissolute life or is dependent upon public charity such court or magistrate shall, after notice to the State Board of Lunacy and Charity, commit such child, if he has no known settlement in this commonwealth, to the custody of the said board, and if he has a known settlement then to the overseers of the poor . . but in the city of Boston (he is committed) to the directors of public institutions of said city, until he arrives at the age of twenty-one years or for any less time; and the said board, overseers and directors are authorised to make all needful arrangements for the care and maintenance of children so committed in some state, municipal or town institution, or in some respectable family and to discharge such children from their custody whenever the object of their commitment has been accomplished." Provision is made that when a child is brought before a magistrate as indigent or neglected a summons shall issue to the father, mother, guardian, or person with whom, according to the child's statement, he resides, as the case may be, to appear and show cause, if any there be, why the child should not be committed, in accordance with the provisions of the section just quoted. In such cases also the magistrate is usually guided by the opinion of the State agent.

The members of the boards, which possess such extraordinary powers, are appointed by the Governor of the State, with the advice and consent of the (executive) Council. The Board of Lunacy and Charity consists of nine members, two of whom are appointed every year except the fifth, when one is appointed; they thus hold office for five years and are practically independent. "The government of the State primary school at Monson, of the State industrial school for girls at Lancaster, and the State reform school for boys at Westborough, is vested in a board of seven members, two of whom must be women." They are appointed by the Governor, in rotation, so that each holds office for five years. They are known as Trustees of the State primary and reform schools.

Although the provisions made by the State and by the city of Boston for the care, training and education of destitute, neglected and criminal children seem so complete there are several denominational and other charitable institutions in that city for the care of destitute children, the rescue of those in danger and the reformation of those who have contracted vicious habits.

The Massachusetts Primary School.

The commissioners visited the State primary school at Monson, about seventy miles from Boston. It is situated in a rather picturesque district, and has a farm of 240 acres attached to it. The land appeared to be quite as good as the average land of the State, and to be well cultivated. The buildings are not quite suitable to the purpose; not as bright and cheerful and well ventilated in all parts as they should be. In a small building at some distance a number of very small children are kept. Mr. Amos Andrews, the superintendent, stated that the large building was originally one of three almshouses

erected by the State. It was so used until 1866, when the authorities thought it better to remove all the children from the almshouses as soon as they attained an age at which they could go to school, which is generally about 3½ years. Some are sent there at an earlier age, and these are accompanied by their mothers. Since 1872 it has been used as a school for pauper children, some of whom described as dependent children have never been in an almshouse; for neglected children: for those juvenile offenders for whom the Board of State Charities cannot immediately find places and for those who, in the judgment of the Board, would be benefited by some preparatory training. The school is conducted on the congregate plan. The only separation is that of boys from girls, and of the very young from the others. The younger children go to school all day; the grown boys and girls go to school for one-half the day, and work the other half. The superintendent, teachers, instructors and other members of the staff who come immediately in contact with the children number about forty, and there are ten others including those employed on the farm. The education given is nearly the same as that of the public schools, but not quite so good. There are eight school teachers. The schools are graded. For the younger children there is a kindergarten school; afterwards they get object lessons and are taught clay modelling. Great care is taken, it is said, to cultivate the individuality of each child, and so counteract one of the most serious evils of the congregate system. All the boys who can be spared for the purpose work on the farm. There are a tailor's shop with an instructor, a sewing room where the girls work under an instructor, and a department in which shoes are repaired. The girls are also taught housework. About thirty boys sleep in each dormitory, and all meet at meals, on the farm and in the workshops. Vicious boys are sometimes sent to this school and cause much trouble. The superintendent, if he finds such boys incorrigible, applies to have them removed to the reformatory. The older children seemed to be actively engaged, the younger played with much animation and spirit, and all appeared to be as happy as could be expected.

On the Saturday previous to the visit of the Commissioners the number of inmates was 358. Of these twenty-one were mothers of some of the younger children, 244 were boys and ninety-three were girls. Of the children 203, including the neglected children, were committed to the guardianship of the Board of Lunacy and Charity by the courts and 134 were transferred from the alms houses. One of the offences for which children were committed was obstinacy. In some cases the parents made complaint, but anyone may make the complaint that a child is obstinate. "If you trace it back," said Mr. Andrews, the superintendent, "you will probably find that it means lack of ability on the part of the parents to discipline and control their children properly." Sixty-five or seventy of the children are under nine years of age. None of the children can be retained after the age of sixteen. Few, if any, are allowed to remain so long, as the boarding-out system finds more favour every day. The superintendent thought it would be better in many cases if the children were allowed to remain longer, and if a better education were given. About 200 are placed out every year, and the average number in the school is growing smaller. There is not much trouble about the children who are placed out. They are usually well treated, and they seldom return to the school. About one-half are placed with farmers. Three-fourths of the children placed out give satisfaction. There are four paid visitors who frequently visit the children to see how they get on, and these sometimes remove a child from one place to another. There are also committees of lady visitors who look after the girls especially. Religious services are held in the school by ministers of various denominations, at which all the Protestant inmates attend. A Catholic priest attends to the religious

wants of the Catholics. Prayers are said every evening, and instruction is given to all the children by the superintendent, who says that in giving these instructions he can fully avoid all doctrinal questions. On Sunday afternoons the teachers give religious instruction to the children of their several classes. The superintendent thinks that the system as carried out is in nearly all respects as good as any that could be devised, but he thinks it would be better if the children were lodged and cared for in cottages, and if they received a better education before they were placed out. The cost of this institution is about $50,000 a year. The superintendent appoints all the officers except the physician.

The Massachusetts State Reform School.

This institution was established in 1848. Mr. Lyman, after whom it is named, left a sum of money to be appropriated to the purpose on condition that the State contribute at least as much. When the Commissioners visited it the inmates numbered only 179. These were divided into six families, four of which lived in single cottages and two in a double cottage. Each cottage is under the charge of a man and his wife, who are paid $800 a year and have free board and lodging. Work had been commenced on another cottage, and some of the larger boys were busy at the excavation and, hauling stone, or assisting the masons working on the foundation. The boys make their own beds, clean up the rooms and assist in the kitchen. Nearly all work on the farm of 170 acres, which is all under cultivation is done by the boys, and the work they had done in making roadways and clearing up some of the rough places was pointed out. Work done by the boys on some of the buildings in repairing and painting was shown. Much attention is paid to their literary instruction, and the workshops are, in most cases, technical schools in which there is no attempt at manufacturing, but the boys are taught to use their hands and are made familiar with the use of tools and with the principles on which carpentry and other work should be done. Some of the work of the boys was exhibited. In one shop the boys prepare boot heels under the supervision of an instructor, and at this work a smart boy can earn 75 cents a day or more. What they earn above the sum fixed is put to their credit. Each cottage has a bath-room, school-room, workshop and dormitory. There is no special supervision of the boys at night. All take their meals together, the officers sitting in the same room, but at a separate table. A pretty chapel in which religious services are regularly held cost $3,700. There are no walls or fences or bars to restrain the boys anywhere, and the attemps at escape have been very few.

The boys are committed to this school by the courts for various offences. Mr. Chapin, the superintendent, said, "Their ages range from seven to fifteen, but we get very few who are under ten years old. Most of them are twelve or fourteen, and some are fifteen. They remain under State supervision until they are twenty-one, but after eighteen they are practically on probation in homes. The time of their detention in the school is eighteen months, but this the trustees are gradually extending to two years. The trustees determine when the boys may be placed out. If, after they have been placed out, the boys commit any serious offence, they are usually sent to the reformatory for men at Concord, Massachusetts. Of the boys sent out of the Lyman Reformatory from ten to fifteen per cent. are afterwards sent to Concord. The law governing the institution provides that the trustees shall cause the boys under their charge to be instructed in piety and morality, and in such branches of useful knowledge as are adapted to their age and capacity, and in some course of labour, either mechanical, manufacturing, agricultural or horticultural. The superintendent stated that a great

deal of employment has been provided for the boys on the land and around the new buildings, and endeavour is being made at the present time to give the boys a greater variety of occupation.

The Trustees, in their report for 1890, says, "In all work of reform which looks to a radical change of moral character, and to any considerable intellectual awakening, the element of time necessarily enters. Most of the Lyman school boys have not simply been committed for trifling offences, but are children who, by birth and breeding, have been cast upon a stream of evil tendencies that threatens to lead them utterly away from all that is good, true and noble. For instance, 198 of the inmates had been arrested before coming to the Lyman school. 74 had previously been inmates of other institutions, and 140 had one or both parents intemperate. It cannot reasonably be expected that boys with such an inheritance will, in a few brief months, become so fixed in better thinking and living that there shall be assurance of permanent reform. In the nature of the case there must be time to arouse and educate the dormant conscience; time to curb the unbridled passions; time to awaken the mind and to set its faculties in order; time to acquire habits of application, industry and perseverence: time to bring to bear those kindly helpful influences, lacking hitherto, that shall crystallize in healthy moral character. Few of them, during the last four years, have stayed in the school for more than thirteen months. The trustees thought, as a rule, they should be kept in longer, for it is impossible to secure the best results in so short a time. On account of the crowded condition of the school the trustees have been compelled to push boys out into places before they were prepared to go, and in many cases where there was little hope of permanent reform, and the results have largely justified their fears."

The total number admitted in 1888-89 was 154; the total number discharged was 112. The cost to the State, during the year, was about $42,000.

The Massachusetts Industrial School for Girls.

The trustees regard this institution as highly successful, and speak of an increase in the number of commitments as evidence of a growing belief in the value of the institution for girls of the class sent there. "The placing out of these girls all over the State," they say, "with the good accruing both to the girls themselves and to the little communities that secure domestic service of such good character, has tended to call attention to the school and its work. A work which has transformed many girls who, a few months before, were idle, disorderly and sometimes disreputable, and who lived in thriftless and wretched homes, into neat, strong, industrious and willing, if not always skilful, helpers in respectable families, must have some merit and some efficient force and motive." They claim that the industrial training is thorough, and that the girls learn to do much of the farm work as well as what is domestic. They reply to a complaint that the girls are kept in the school too long by stating that it is necessary to keep them from their old associations until they have acquired moral strength to withstand them all, and by asserting that no girl is retained in the school whose condition would be better outside. The superintendent reports that the demand for girls is greater than can be supplied, although seventy-nine had been placed out that year. The tabulated statements are not so favorable. The number in the school on September 30th, 1888, was sixty-three. During the year following there were seventy-three new commitments, and of those previously placed out six were sent back for illness, six in order to change their places, fifteen for unsatisfactory conduct, two for theft, three for serious immorality, five for having eloped from their places, and two from prison. Eighty-eight were placed out

after they are sixteen. The board of control may discharge a boy whenever they think that he is reformed and that he will do better outside, without regard to the progress he has made in literary knowledge or technical training. The industries of the institution are farming, tailoring, shoemaking, baking, steamfitting, gasfitting, carpentering, plumbing, printing and chair caning. The boys work 4½ hours each day, go to school for 4½ hours, give five hours to meals and recreation and ten hours to sleep. In the schools particular attention is paid to reading, writing and arithmetic, "with elementary work in language." In the printing department fifty boys are employed working alternately in gangs of twenty-five each. Much excellent work was exhibited. The boys who go out from this department find employment quickly at good wages. They do not publish a paper, because the superintendent thinks it would occupy time which can be better employed. Six boys were employed in the laundry, forty in the carpenters' shop, in which no machinery is employed, and from fifty to sixty in the tailors' shop. Mr. Gower, the superintendent, maintained that a boy learns more in one of those shops in a year than he would learn outside in five, as the object is not to get him to do a great deal that is mere drudgery, but to give him a thorough technical training. About a hundred of the young and of the new boys are engaged in seating cane bottom chairs. On the farm, which is 260 acres in extent, all the boys in whom a taste for farm life has been developed and for whom places can be found with farmers, are employed, generally about seventy-five. The majority of the boys come from cities and it is considered that it would be a mistake to force them to do only farm work.

Mr. Gower refuses to give a misleading name to the institution. It is a reform school, he says, and should be called nothing else. He disapproves of classifying boys according to what may be supposed to be their degrees in guilt. He places them under observation when they are sent to him, and when he has learned what their dispositions, inclinations and qualities are he puts them in the places in which he thinks they will do best. In some institutions, he says, the practice is to transfer boys from one cottage to another as they rise or fall in the scale of rectitude. There is the receiving cottage, the cottage of honor, the graduating cottage, the cottage of dishonor, each labelled so as to indicate the moral atmosphere which is to be found within. Thus the boys who need the most help and encouragement are placed where they are surrounded with the worst influences, and those who show their desire and ability to do right are placed where there is scarcely a temptation to do otherwise. He contends that the worst boy should be placed in the purest and most bracing moral atmosphere to be found. He maintains, contrary to the opinion of many, that it is possible in such an institution to create a moral atmosphere which will stimulate towards well-doing every one who breathes it; to keep the standard of morality amongst the boys so high that a good boy will not be injured and a bad boy will surely be benefited by contact with those around him. He disapproves strongly of the badge and mark system which he regards as wrong in principle and pernicious in results. The system, he argues, does injustice to good boys who have been committed for trivial offences and who should be discharged on parole or otherwise as soon as their true character is known. It is unjust to dull boys who earnestly strive to do well, but fail to obtain marks. It encourages dishonesty and hypocrisy and trains boys to form false ideas of morality and duty. In many instances not the best boys but those who are the biggest liars and can most successfully elude detection gain promotion most rapidly. It is absurd to conclude that a boy has a good character because he has not been known to lie, steal or swear for a year. The institution should resemble as nearly as possible the ideal home in which obedience to statutory law is not presented as the highest motive to correct action, but rather obedience to principle; in which worth is not estimated on the

during the year, and the number remaining in the school on September 30th, 1889, was eighty-seven. Indeed the trustees themselves say, "Not that the Industrial School can claim that all its girls are restored to virtue. Far from it. Many who come to it are of such weak and shiftless character that they can never be virtuous except when warded from temptation; others with better possibilities fall when the trial comes, and a few seem ineradicably bent on evil. On the other hand many unpromising girls develop unexpected virtues."

They also say, "The feeble-minded girls still constitute a most perplexing element in the school. Some of them the trustees have discharged as unfit subjects, for the training is too expensive to give to those whom it cannot permanently benefit. But girls who are unfit for the school are still more unfit to be turned loose to pollute the community and to propagate a tainted offspring; and the trustees earnestly renew their recommendations that a custodial asylum like that in the State of New York, be established where these unfortunates may be decently and economically cared for."

Of 261 girls supposed to be in care of the trustees at the end of the year 1889, ninety-seven were at work in families, twenty-four were on probation with friends, fifty-five had married and eleven had run away. On the whole this school does good work. The expenditure was $18,703 last year, or $245.87 per head for the average number of inmates.

Reformatories in Other States—Michigan.

The reformatory for boys at Lansing, Michigan, bears such a high reputation that the commissioners felt it to be their duty to visit it and see its working. They found that its reputation is well founded. The buildings stand on a large well cultivated farm a short distance from the city. This institution was established in 1856, as a house of correction for juvenile offenders of both sexes. Generally only children under fifteen years of age were sent to it, but the courts may send young persons of from fifteen to twenty, for any period for which they may be sentenced. In 1859 it was made a reformatory school for boys. The windows in the rear of the old building still show that it was at one time a prison, but this is all that now retains of a prison character. The school is conducted on the cottage and congregate systems combined. The boys live in cottages, each under the charge of a master and matron, and attend school in their own cottages but they take their meals together in a large hall in the central building, and they mingle on the farm and in the play grounds. In the central building are four school rooms, what was described as the receiving department, dormitories, the offices of the administration and some workshops. There are six cottage buildings, one of which is a double cottage, and there are about fifty boys in each. The cottage manager is, in every case, an officer of the institution, and the matron, who is his wife, is the school teacher. Very good work is done in the schools, as the commissioners were afforded opportunity of observing, the singing being especially good.

Only boys convicted of some offence are sent to this school. Truancy is one of the offences for which they may be committed. 254 boys were admitted during the previous year, and at the date of our visit, the inmates numbered 475 between the ages of seven and seventeen, these being the limits as to age. No boy can be sent before seven or retained after seventeen. The boys are held for any period within these limits that the trustees think best, except truants who are committed for a period of not less than nine months and who cannot be detained

basis of known short-comings, but rather on the basis of observed effort and aspiration towards noble things; in which character is developed not by degradation or by bread and water diet, but rather by encouraging the desire to excel and by the love of approbation, in which the thoughtless mistake or the fault of losing ones temper is not exaggerated and in which no ideal is presented to the boy that appeals to his baser nature. The institution is not made to resemble such a home by a system of book-keeping that charges to every offender fifty demerits for a lie, seventy-five for profanity, a hundred for obscenity, five hundred for resisting an officer and a thousand for running away, without any regard to the antecedents, influences or immediate temptations which are so often responsible for the act; or by any arithmetical legerdemain that ignores the earnest longings and efforts towards right, even if they do not always overcome the evil that is within one. All this may make a model boy in the institution without making a good man of him.

The great majority of the boys, Mr. Gower said, are not naturally bad, but are the creatures of unfortunate circumstances for which they are in no way responsible, and what they need is training and education such as will restore them to their normal condition. Could they have been placed in good homes most of them would have been saved to society without any intervention of the institution. Another objection to moving boys from one cottage to another is that it prevents the formation of the intimate relations which should subsist between the boys and those immediately in charge of them and prevents the officers from acquiring a thorough knowledge of the character and disposition of the boys. The average age of the boys is thirteen years and ten months; the average time of detention is twenty-three months.

Boys found unfit for the school because imbecile or incorrigible may be returned to the court which sent them to the school and which may then deal with them as if they had never been sent to the school. There is careful supervision of the boys who are placed out. Some work on farms, others in mechanical occupations in the cities and towns. The superintendent pays periodical visits to Detroit to meet the boys who are in positions there. A large number follow the occupations in which they were engaged in the school. Of 250 boys who go out every year about seventy-five go to farms, and about fifty remain, more or less, permanently on farms.

The entire expenditure last year was $68,010. Of this the State contributed $53,000. $7,992 was received on account of work done in the shops. Some of the farm produce was sold.

Mr. Donovan, the treasurer, gave an account of the manner in which estimates are prepared, appropriations are obtained, and money is expended. He thinks the system on which the school is conducted almost perfect.

There is a school at Coldwater called the State Public School, to which dependent children—including, probably, those designated, "neglected," in Massachusetts are sent. This is conducted on the combined congregate and family system. The ages of the children range from two to twelve and they are kept until suitable homes are found for them by the county agents. This school has one large building fitted up with modern improvements and nine cottages and a farm of 120 acres.

The mode of committing boys to these institutions is this. When a boy who has committed some offence, or has been truant, is arrested, formal complaint is made to a justice of the peace, and before further proceedings are taken, it is the duty of the agent of the State Board of Charities for the county to make careful enquiry into the facts of the case, the whole surroundings of the child and the causes that led to his becoming an offender, and then he advises

the justice as to what should be done with the boy. If the charge is sustained, the court may release the boy on suspended sentence, the parents giving bonds for his good behaviour; but usually he is sent to the school.

The Ohio System.

The system of dealing with juvenile offenders and dependent children is somewhat different in this State. Each county is required by law to provide a home for dependent children, or to make arrangements with the managers of such an institution in another county for the reception and care of such children. There were last year thirty-seven such homes in the State, and the average number of children in them was 2,285. They are said to be well managed and their usefulness is said to be conspicuous. The law expressly provides that no children of the age for admission into a home shall remain in any poor-house or county infirmary, as it is called; but, nevertheless, at the close of last year, there remained in these infirmaries 339 children between the ages of five and fifteen, and 260 under five years of age. The Board of State Charities think that the usefulness of the homes "could be largely increased by more efficient methods of placing out children into permanent homes by adoption, or indenture, which is their most important function." A law recently passed authorises the appointment of county agents for this purpose, but the homes have not availed themselves of its provisions which are merely permissive.

Of the Boys' Industrial School or Reformatory, near Columbus, of which those interested speak as one of the most successful in the United States the official report says little. The number remaining in the house on November 15th, 1889, was 590; the number received during the year was 327, and the number discharged by expiration of sentence, was 222. We are told that "prevalent good order, willing and industrial labor in shops and field, fair application and progress in school studies and contentment, and good behavior in the family have marked the general department of the boys and have been highly gratifying to the officers and friends of the institution." In the Girls' Industrial School, fifty-eight were received during the year, thirty-three were discharged on expiration of sentence and 287 remained on November 15th, 1889. Of this school the Secretary of the Board says, "No matter how patient the care, how considerate the discipline, how comfortable the provision made for the inmates, there is always a feeling of restraint, creating discontent. This sense over-rides every sense of right and propriety upon the part of the girls: those old enough to distinguish between that which they wish and that which is best for them, seem, most of them, utterly oblivious to any other consideration than simple freedom from restraint. The natural disposition, personal habits, selfish, sensual and wilful, are not easily brought under self-control and corresponding difficulty is found in bringing them into subjection to authority." The sending of imbeciles to this school is complained of and greater discretionary authority is asked for as to the discharge of young girls scarcely capable of committing crime, but against whom a criminal record is made at an age when they can make little, if any defence, thus exposing them to life-long disgrace.

There is a house of refuge at Cleveland attached to the House of Correction, in which there were seventy-five boys on November 15th, 1889. These should scarcely be classed as juvenile offenders. They seemed bright, intelligent boys, who might easily be guided to what is good. Fifty-four were received during the year and eighty-four were sent to their parents or guardians. That this school is within the enclosure of a penal establishment is admittedly a great mistake. A House of Refuge in Cincinnati receives boys and girls; 155

were placed in it during the year; 155 were sent back to parents or guardians twenty-two were placed out in families, and there remained 284 at the close of the year. Of the whole number in this school for the year 402 were boys and 129 were girls.

The New York System.

The council of the school superintendents of the State of New York, at their annual meeting in 1888, adopted a draft of a bill entitled "An Act to secure to children the benefits of an elementary education." This, which seems to have been framed largely on the model of the English school law as described by Mr. Phelps, contains several provisions which deserve serious consideration. Should this become law parents or guardians would be required to send all children between the ages of seven and eleven to attend the public school of the district, or a private school, during the whole period that the public school is in session, and in case of default a penalty would be imposed on the parents of one dollar upon the first conviction, and of five dollars upon each subsequent conviction. Children between the ages of eleven and sixteen not regularly engaged in any useful employment or service, would also be required to attend school under like penalties. Any child between the ages of seven and sixteen who attended no school and was not instructed at home, or who was irregular in attendance at school without satisfactory reason or excuse, and who had been notified, at least three times of his delinquency, and who, after such notice, continued to be irregular and idle; or any vagrant child of such age found wandering about the streets and lanes or public places during the school hours when the schools were in session having, or seeming to have, no lawful occupation or business and growing up in idleness, and who, after having been three times notified to attend, should neglect or refuse to attend the same, would be deemed an habitual truant. The public school authorities in cities and school districts and the attendance officers would be required to make diligent enquiry into all cases of neglect on the part of parents and of habitual truancy and to secure the proper performance of the duties imposed by the Act, or the punishment of those guilty of neglect: and to secure the regular attendance at school of all children of the ages specified for the time named in the Act. All persons would be forbidden, under penalty, to employ any children between the ages of eleven and fourteen years in any factory, workshop, or other place during the school hours of the public schools when in session, unless they held a certificate from the proper school authorities to show that in each case the child had been instructed for fourteen weeks out of the fifty-two next preceding the time of such employment, and such employment should not continue beyond the date when such certificate expired. Provision is made for the appointment of one or more attendance officers in union free school districts and in other school districts having a board of education, and it is made the especial duty of these officers to see that those provisions of law are enforced. In common schools district these duties would be imposed upon the trustees. The Board of Education in any city and the Board of Supervisors in any county may, and the Board of Education in cities of 250,000 inhabitants or over, would be required to provide one or more suitable places (truant schools?) for the commitment, discipline, and instruction, or for the confinement, when necessary, of habitual truants * * (and) make all needful regulations for the management, direction, control, and government of such schools. But no person should be committed to such school for less than four weeks nor for more than one year, provided that such board in such cases may * * discharge any person so committed before the term of his commitment expired, if in their judgment the substantial and permanent reform of the truant had effected. No person

accused and convicted of any crime should be committed to such school as a punishment for such crime." It is made the duty of police officers to assist trustees and attendance officers in the discharge of these duties. In some cases of which we find record, truants are sent to a Protestant home or a Catholic protectory, there to be disciplined, "the judge always selecting the institution representing the religious faith of the parents."

Industrial School at Rochester, N. Y.

Besides the charitable institutions devoted to the protection and reformation of the young there are three large state reformatories called industrial schools. These are conducted on the congregate system, and in some, if not all, boys and girls are confined within the same boundary wall, although in separate buildings. The population of these schools has increased rapidly of late. When the Commissioners visited the reformatory at Rochester, 539 boys and 134 girls were under detention there, and although the girls' school was built only two or three years ago the principal complained that it was crowded. The boys, who are too young to do more than attend school, are in a department quite separate from the others and have a playground of their own enclosed by high walls. The girls school is in beautiful order. The girls are divided into two grades or classes according to the offences which they committed and the character they bore before admission, and great care is taken to exclude from the higher grade those whose influence may be hurtful to the others. It was the intention of the managers that each of the older girls in the first grade should have a room of her own, but it has been found necessary, in several instances, to put two in a room. The doors of these rooms stand open day and night and they all looked bright and neat. In the dormitories in which the younger girls sleep the beds were somewhat crowded. In the laundry in which many of the older girls are employed little machinery is used, as the object is to fit the girls to live as domestics in private houses. The school rooms were all thoroughly equipped and were perfectly neat as were the workrooms and all parts of the house. The buildings in which the boys are kept are old and do not look so well. A large part of the main building retains its old prison aspect. The windows are long and narrow and the iron bars remain. From one section of this the cells have all been removed and instead is a large dormitory in which some hundreds sleep. In the other section all the doors and fastenings have been removed and the cells converted into bright little bed rooms, but the superintendent is determined that all that may remind the boys of this having been a prison shall be removed as soon as possible. The blacksmiths' shops and other workshops, such as the foundry, the moulders' shop, and the carpenters' shops, are in detached buildings. A high strong outer wall encloses all the buildings an open space in front and the play grounds. This is said to be necessary because the institution is so near the city that the suburbs extend all round it. The grounds including those under buildings, the play-grounds and a small farm are only 42 acres in extent. No special attention seemed to be given to farming or gardening.

From 75 to 80 boys are employed in the house-work, including kitchen and bakery. Several of the boys when they go out find employment as bakers. Twelve receive technological instruction and training in a foundry; 22 in a blacksmith shop; 14 in a moulders pattern shop and 33 in a carpenters shop. The brightest boys generally make their way to the machine shop, where they are taught how to use the drill, lathe, planer, shaper and milling machines and to temper and grind tools. This class numbers 13. There are also classes taught bricklaying, plastering, painting and tailoring

and shoemaking. Such boys as have a taste for agriculture and gardening work on the farm, but nearly all the boys come from the cities and these prefer mechanical occupations. There is an instructor for each class. The Commissioners saw some of the classes at work. Drill is taught by a military instructor, and the older boys went through several intricate movements with great steadiness and precision.

In the girls' department as in the boys' no work is done for outside parties; shirts are made for the boys and the bed-clothes are made and repaired. This and the work the girls do for themselves and their own school, the laundry work and the work in the schools occupy their time fully.

In the department of the larger boys there are a first and second division, but the boys all mingle in the schools and shops and playgrounds. Some of the boys, the Superintendent said, are of vicious habits when sent to the school, and some have acquired a taste for strong drink, but cigarette-smoking brings more boys to the school than whiskey-drinking.

Classification is much more carefully attended to in the girls' department. They are classed as primary and first and second division as the boys are. The primary includes children of from seven to twelve years, of whom some have committed petty offences, some are committed as vagrants and some are orphans. The girls in the first division are between the ages of fourteen and sixteen who have committed serious offences. The second division is comprised chiefly of girls who have fallen, and these are kept entirely separate from the others and do not even see them except at church. If any girl in the first division acts badly and there is danger of her corrupting the others, she is at once transferred. Each division has its own school room. The primary and the first division receive the same amount of schooling. The second division attend school from five until a a quarter to eight in the evening.

When a boy (or girl) is convicted of any offence for which he may be committed to such an institution he becomes a ward of the State, and the governing board of the school to which he is sent have control of him during his minority. When the superintendent reports that a boy is fit to leave the school, the chaplain enquires if the boy has a home, and whether it is such as he should be sent to. If it is, the parents are notified, and when they have signed the papers prepared in such cases, the boy is returned to them. If the home is not what it should be the chaplain looks for another in which the boy may be safely placed. A committee of the board of managers must approve of the boy's discharge. The board will not allow a boy to go out until a place has been provided for him, and if he behaves badly after he has been discharged they bring him back to the school. No boy is discharged absolutely until he is of age. Practically the superintendent determines when a boy shall go out, and the chaplain determines whether he shall return home or be placed elsewhere. If a boy desires to change his place when out he must obtain the approval of the chaplain. It is the duty of the chaplain to learn all he can about each boy's history and the circumstances which led to his conviction, to keep up a correspondence with the relatives, friends, and employer of a boy, after he has been parolled, to ascertain how he is conducting himself and whether matters are going on satisfactorily. The chaplain has authority to remove a boy from one place to another for any sufficient cause and to decide when it may be necessary to send a boy back to school There are two chaplains in this institution, one Protestant, the other Catholic, and each has charge of the boys of his own persuasion. About twenty per cent. of the boys sent out are returned. In some cases they behave badly; in others their homes are found to be dangerous, or their employers treat them badly. Of the girls it was said that some of those of the primary class who are placed out

to come back, but not many. More of the first and second division are returned, not in most cases because they have committed any offence but because they are unable to do the work required of them. Many of them are very helpless.

The chaplains do a large part of the administrative work in this institution. The board make and change the regulations, and through their committees actively supervise all that is done. Their powers are very large as all their regulations have the force of law.

The superintendent stated that of those who pass through this school from eighty to eighty-five per cent. are thoroughly reclaimed.

The Australian System.

In Australia the systems for dealing with destitute and neglected children and with juvenile offenders, which found favor in Great Britain, were generally adopted, but they have been materially modified, and in his report for 1888 the secretary of the department which has charge of such institutions in the Colony of Victoria, asserts that the acts relating to juvenile offenders and to neglected children, which passed in the previous session, embody the most advanced legislation that has been enacted by any of the colonial legislatures. Their system includes private denominational reformatories, assisted by the State, as in England; Government reformatories, wholly sustained and managed by the State, in which the religious rights of the inmates are carefully guarded and the importance of religious instruction is fully recognised; industrial schools, now called schools for neglected children and receiving depots for neglected children awaiting the action of the courts. To the receiving depots probation schools, in which the character, disposition and general moral condition of the children committed to any of the institutions could be ascertained by careful observation, were to be added. The provision that only those who had actually passed at least ten days in gaol under sentence for some offence should be sent to a reformatory has been abolished, and children may now be sent to reformatory or industrial school without ever entering a gaol. It was proposed that when the probation schools were in operation, juvenile offenders, as well as neglected children, should be sent to the receiving depots when any delay occurred in making final disposition of them. They may now be sent to a reformatory school, pending such disposition. Children found associating or dwelling with criminal persons may now be apprehended, and if the charge be sustained the guardianship of such children may be transferred to respectable relatives or others, who will be protected from the interference of objectionable relatives. The boarding out of very young children, and the licensing out of those who behave well in the schools are regarded as important means of saving and reforming those who need the help of the State.

One reformatory and one industrial school for girls are under the management of Protestants; one reformatory and two industrial schools for girls are under the management of Catholics, and the state manages directly a reformatory for boys, a reformatory for girls, an industrial school for boys and an industrial school for girls. The total number that passed through all these during the year was 1,084; the total number in all the schools on December 31st, 1888, was 204 of whom 43 were in the State industrial school, 127 in the State reformatory, 76 in the Catholic industrial schools, and 20 in the Catholic reformatory, 15 in the Protestant industrial school and 13 in the Protestant reformatory. During the year 365 were sent to foster homes, 257 to service homes, and 68 were placed on probation with relatives and others. The total number of children, who having passed through the reformatory and

industrial schools, were placed out and were under supervision, was 581. The conduct of 489 of these was reported good, of 21 indifferent and of 71 bad. The total number under supervision was 3,238.

During the year 352 children were sent to the industrial schools, and 81 to the reformatories. In 65 cases the children were deserted by the fathers, in ten cases by their mothers and in eleven cases by both parents. In 28 cases the father was not known, in 22 cases neither father nor mother was known.

158 were discharged on probation during the year, and 34 finally.

One of the regulations respecting neglected children, which have the force of law, is that when any such child is apprehended, "until the charge shall have been heard and disposed of" the constable or person by whom he has been apprehended "shall, when practicable or expedient, place such child in one of the receiving depots, situated in the Royal Park, near Melbourne." But if it be not practicable or expedient to place the child in one of these depots, the constable or person making the arrest is authorised to place the child with some respectable private person, and to make proper arrangement or agreement as to the care and custody of the child. If the constable is a married man he may place the child in his own dwelling under the care and supervision of himself and wife. Every child committed or transferred to the care of the department for neglected children is taken to the nearest receiving depot occupied and used by children of the same sex, there to remain in charge of the superintendent or matron until the manner of his or her disposal shall have been determined by the secretary.

Children who cannot be controlled in the industrial schools are now sent to the reformatories. It is proposed to send them to the probation schools when such schools have been provided.

Children, who being of good behaviour and otherwise fit for the position, are appointed monitors, may be allowed a sum not exceeding two shillings and six pence per month.

In probationary, industrial and reformatory schools the officer in charge is required to classify the children, due regard being had to the conduct, age, and moral and physical characteristics of such children. All officers and teachers are required specially to direct their attention to the moral and religious instruction of the children, and it is provided that religious instruction shall be given in all depots and schools under the denominations Protestant, Roman Catholic and Jewish, and under no other denomination. Every child in any depot or school shall be taught the religion of that one of the denominations aforesaid, to which in the particulars attached to the order committing such child to the care of the department he is stated to belong." If a mistake is made in the order it may be rectified. When practicable the children . . shall be taken on Sunday to their respective places of worship. Provision is made for the admission of clergymen and others to the children of their own denomination on Sundays and at such other times as are set apart for religious instruction.

The Commissioners make no apology for occupying so much space in their report in showing the various systems that obtain in the countries named for the reformation of juvenile offenders, as they are convinced that it is of the greatest importance that this Province should learn from the experience of others what system is best adapted to its circumstances and calculated to produce the most beneficial results.

The Ontario System.—The Reformatory for Boys.

A great mistake was made in the selection of the site of the Reformatory for Boys at Penetanguishene. When the Government found it necessary

to establish this reformatory they thought it would be economical to use for the purpose a barracks which had been unoccupied since the war of 1812. This will not seem surprising when we remember that in those days the prevailing idea respecting reformatories was that they should be little else than prisons, in which juveniles, while receiving some education and industrial training, should be strictly confined, punishment being, at least, one of the chief objects of their incarceration. When the erection of the present massive structure was found necessary there seemed to be no reason for moving to another locality as the ideas as to what a reformatory school should be had undergone little change. The new structure was but a more commodious prison. The boys were every evening locked up in a triple tier of cells, with doors of iron bars and fastenings strong enough to hold the most desperate felons, and when allowed out during the day they were confined within a strong and very high close fence. And guards were set night and day to prevent escapes. For a place of confinement or for an asylum in which the imbecile or the incurable insane may spend their days the situation is in many respects unobjectionable. The air is bracing and salubrious, the water is pure and abundant, the facilities for drainage are excellent and the outlook is grandly beautiful; but the soil is so light and sandy and so thickly covered with boulders that successful farming is impossible, and the place is so far away from all the great centres of population that industries which could be carried on with advantage to the boys and with some profit if the school were within easy distance of a large city would entail heavy loss if introduced here. A still greater disadvantage is that the public almost forget that such an institution exists, and application is scarcely ever made by farmers or others for the services of boys whose term is about to expire. There is no official machinery to provide good homes and suitable employment for the boys when they return to the outer world, or to control, direct or guide them in any way, and no voluntary association has yet attempted to make amends for the law's neglect in this respect.

The high fence and the rattle of the keeper's keys as he opens or closes the entrance gate still give the place much of the appearance of a prison on the exterior. Inside the fence things look much better. The ground which was at one time very rough, has been graded, and a large flower garden laid out with much artistic skill was in full bloom when the commissioners visited the school, and made quite a brilliant show. Where those tiers of cells once stood they found a large airy, well fit dining room, admirably arranged, and a dormitory which in its arrangements, its perfect cleanliness, and its entire freedom from disagreeable odours, was equal if not superior to any they had seen in the best institutions visited by them in the United States. The supervision during the night, as explained by the warden, is perfect. A dim light burns all night, the guards pass through the dormitory every few minutes, a registering electric apparatus records their every visit, enabling the warden to test the accuracy of the report which they are required to make to him every morning. The commissioners saw the boys march into the dining hall and take their places at the tables, and admired their excellent demeanor.

The school rooms, although said to be too small, are well furnished and well kept. In the senior Protestant class there were 37 boys in the junior 39, and in the Catholic school were 32. The education given is that of the public schools. The boys were said to be diligent and well behaved, and the inspector, Mr. Day, who visits the schools regularly reports that good work is done in them. The classes are examined as well arranged. Divine service is held every Sunday forenoon and afternoon for Protestants and for Catholics. The boys, while attending service, conduct themselves with great propriety, and the choirs, composed of the more musical of the boys, sing remarkably well.

The religious instruction and training of the boys are carefully attended to. Formerly there were two chaplains, a Protestant and a Catholic, who conducted morning and evening prayers daily, were every day in frequent intimate intercourse with the boys, and on Sunday held divine service in the forenoon and afternoon. Religious instruction was also given at other times during the week. Now the duties of the Protestant chaplaincy are discharged by three clergymen of the adjoining town, who attend alternately.

The large play-grounds showed many signs of use. The boys evidently enjoyed their games thoroughly, but there was not the slightest rudeness of conduct or coarseness of speech. Either, we were told, would be punished promptly.

The industrial condition of the school is very unsatisfactory. The byres and piggery were in good order, but they are not extensive. A large garden on a low level where the ground seemed more fertile appeared to be well and carefully cultivated, but of farming there was really very little to be seen. The workshops looked no better. The little machinery in the carpenters' shop looked as if it were not very much used and as if it could not do very much. Only in the tailors' shop was there much appearance of any effort to give industrial training. Of the 209 boys in the school at the close of last year, only three according to the report were in the carpenters' shop, seven in the engine-room and ten in the tailors' shop. How many worked in the shoemakers' shop is not stated. In the garden, in the stables, on the farm and other outside work, 36 others were employed. A number were employed as bakers and cooks and in housework. Of the 209 boys whom the commissioners saw, many were so young that it would be wrong to require them to do much work. But even of these, a large proportion could profitably receive some technological training. A very large proportion, however, were grown lads who seemed strangely out of place in such a school These for their own sake should be required to do a fair day's work every day. Technological training such as is given in the Lyman school and the Lansing and other reformatories is ignored at Penetanguishene.

The superintendent, when under examination, was asked what is done to give the boys an industrial training? He said: "We have endeavored to employ the boys as best we can, but not to their benefit as it should be. * * So far as the teaching of a particular trade goes I cannot say that it is of much benefit to them, and when they go out it frequently follows that they have a very imperfect knowledge of any trade. We might give them some knowledge of tailoring that might enable them to get in somewhere as improvers. Our shoemaking is no trade at all. We make shoes for the inmates, but the knowledge that the boys acquire is of no value outside." He thought the suggestion that boys employed at tailoring should be taught to do "plain felling and seaming properly," very valuable. The other trades taught, he said, are mechanical engineering, confined to the more simple class of work, blacksmithing, steamfitting, carpentering, in a limited way, a little jobbing and putting up of rough stuff. Of farming, he said: "Our land capable of cultivation being limited, we have kept this branch of industry down to our domestic wants, to the growing of potatoes, oats, hay, and such like." They *do not raise all they require even of these products.* The reasons he gave for this lack of industrial training were "We have not employment for the boys at any art or trade, and we cannot introduce new industries without serious loss, and were we to introduce them we would run the risk of having the labor combinations taking exception to them. * * Geographically, we are so situated that were we to employ the boys at skilled labor we could not put our produce upon the market except at great cost. Technological instruction could be given

if the proper means and appliances were furnished by the Government." The superintendent seemed to understand fully the importance of active productive employment as a means of reformation.

The staff of the institution is composed of the superintendent, the deputy-superintendent, the bursar, the surgeon the chaplains, three school teachers two Protestants and one Catholic a steward, storekeeper carpenter, engineer baker, shoemaker, tailor, farmer, gardener, four guards, one teamster, one who has charge of the works outside, one in charge of the play-room, a stable keeper and a gate keeper, a chief night attendant and four night guards. The number of guards is much larger than in any boys reformatory in the United States visited by the commissioners. The cost of the school last year was $47,330, or $199 60 per head.

The number of boys in the school when the commissioners visited it was 208 Last year the number committed was 85. One of these was committed for assault with intent, two for assault and robbery, one for arson, one for burglary and larceny, two for burglary, one for fraudulent appropriation, one for housebreaking two for housebreaking and larceny three for horse stealing, seven as incorrigible, two for indecent assault, forty-nine for larceny one for larceny of a registered letter, two for shopbreaking, two for shopbreaking and larceny, and eight for vagrancy. One-half the boys committed last year were of the ages of 13, 14 or 15. Sometimes boys are sent whose offences are trivial. Of the boys sent last year 28 were committed under indeterminate sentences.

Several of the 85 boys committed during the year were very young when committed. The report for 1889 states the ages as 1 at 7, 5 at 9, 5 at 10, 6 at 11 17 at 12, 12 at 13, 16 at 14, 12 at 15, 7 at 16, 2 at 17, 1 at 21.

It is evident that for those 35 boys of 12 years of age and under something better might have been done than sending them to a reformatory to associate more or less with offenders so much older than themselves, who it may fairly be assumed were in most cases thorough adepts in all that is vicious and criminal. On the other hand it must be said that a reformatory for boys is not a proper place for youths of 16 years and upwards. It is true nevertheless, as one of the teachers states in his report, that many of the big boys behave well and assist in keeping the smaller boys from vice; that boys convicted of serious offences are not always the most immoral, and that some of the small boys are the most vicious and troublesome. An Act passed last session provides that hereafter no boy who appears to be under thirteen years of age shall be sent to the reformatory.

Of the 85 one was sentenced for one year, one for a year and six months, 3 for two years, 32 for three years, 7 for four years and 13 for five years Twenty-eight were sent under what the judges intended should be indeterminate sentences, such as a minimum of three, five or six months, or one, two or three years, and not to exceed three, four or five years. But under such sentences as matters stand it seems to be the duty of those in charge to detain the boys for the long term.

Any attempt to ascertain the percentage of the boys discharged who lead honest lives would be useless under the present system, and any statement on that point must be mere conjecture as no care is taken of the boys after they have left nor is there any attempt at supervision of them.

The present state of the law is undoubtedly a great obstacle to the successful working of this reformatory. All authorities agree that the reformation of any prisoner, young or old, is impossible unless the prisoner himself be brought to desire his own reformation. This all modern authorities agree can only be done by kind and judicious management, and the hope of earning by

good conduct a remission of some part of the penalty where that has been fixed by the sentence or an early discharge under a parole system. The difficulty that is found almost insuperable in practice seems to arise from the doubts which exist as to the powers of the Provincial Legislature and the Canadian Parliament and the consequent necessity for concurrent legislation; and from the extreme views as to the importance of maintaining the prerogative right to pardon or to commute sentences which are held by the Canadian Government. The Provincial statute provides that the inspector of prisons shall make rules and regulations for the management, interior economy and discipline of the reformatory and for fixing and prescribing the duties and conduct of the superintendent and every other officer and servant therein, and for the clothing, maintenance, education, employment, industrial instruction, classification, discipline, corrective punishment, reward and general oversight and care of all the boys sent to the reformatory." The superintendent has the entire execution, control and management of all its affairs other than those under the control and management of the bursar, subject to the rules and regulations made by the inspector, and under the inspector's direction the Government appoint all the officers and servants. The inspector may suspend any of them summarily for cause. All other provisions for the management and maintenance of the institution are made by Provincial authority.

The Dominion Parliament has exclusive power to legislate respecting crime and criminals. The Provincial Legislature, nevertheless, passed an Act, 43 Vic., c. 34, providing that upon complaint and due proof made to the judge of any county or district court or police magistrate by any parent or guardian of any boy between the ages of ten and thirteen, that by reason of incorrigible or vicious conduct such boy is beyond the control of such parent or guardian, the judge or police magistrate may order him to be confined in the Reformatory for an undefined period, not exceeding five years, and the 28th section provides that any court, judge, or police magistrate who has power to sentence a boy to be confined in the Penitentiary may sentence him to be confined for an undefined period in the reformatory, "and such boy shall thereupon be detained until he be reformed or otherwise fit to be apprenticed or bound out or be probationally or permanently discharged as hereinafter provided. Provided that such boy shall not be detained for a longer time than the maximum term of confinement for which he might have been sentenced for the offence of which he was convicted and that no boy shall be sentenced under this section who cannot be imprisoned for two years or over."

Probably the Legislature regarded this as an educational measure and therefore within their competence. It was evidently the intention of the Legislature to introduce the indeterminate sentence and a probation system with regard to such boys. The five years' limitation would in many cases render the working of a probation system difficult, as it is of great importance that boys of vicious tendencies or weak character should be under surveillance and control until they have become men or have given evidence of thorough reformation. In the same year, perhaps to secure uniformity in the management of the inmates of the Reformatory, the Dominion Parliament passed an Act which provides that "When any boy, who at the time of his trial appears to the court to be under the age of sixteen years, is convicted in the Province of Ontario of any offence for which a sentence of imprisonment for a period of three months or longer, but less than five years may be imposed upon an adult convicted of the like offence, and the court before which he is brought is satisfied that a due regard for the material and moral welfare of the boy requires that he should be committed to the Ontario reformatory for boys, then

such court may sentence the boy to be imprisoned in the reformatory for such term as the court may think fit, not being greater than the term of imprisonment which could be imposed upon an adult for the like offence and may further sentence such boy to be kept in the reformatory for an indefinite time after the expiration of such fixed term, provided that the whole period of confinement in the said reformatory shall not exceed five years from the commencement of his imprisonment. Provided also that in every case where the term of imprisonment for the offence is fixed by law to be five years or longer such imprisonment shall be in the Penitentiary." This Act also provides that when a boy apparently under sixteen is convicted of any offence punishable by law on summary conviction and thereupon is sentenced and committed to prison in any common gaol for a period of fourteen days, at the least, any judge of any one of the superior courts of Ontario or any judge of a county court in any case occurring within his county, may examine and enquire into the circumstances of the case and conviction . . and may as an additional sentence for such offence sentence such boy to be sent either forthwith or at the expiration of his imprisonment in such gaol to the said reformatory . . for an indefinite period not exceeding in the whole five years from the commencement of his imprisonment in the common gaol.

This does not throw any doubt upon the competency of the Provincial Legislature to legislate with regard to children complained of as incorrigible and beyond the control of their parents, and it was apparently an effort to help in the introduction of the system of indeterminate sentences. But in the section immediately following it is enacted that every boy sentenced under the sections just quoted shall be detained in the said reformatory until the expiration (if any) of the fixed term of his sentence unless sooner discharged by lawful authority, and thereafter "shall, subject to the provisions hereinafter made and to any regulations made under section ten of this Act, be detained in the reformatory for a period not to exceed five years from the commencement of his imprisonment for the purpose of his industrial and moral education."

Section ten provides that "the Governor General in-Council may make such regulations as he may consider advisable for the discharge after the expiration of the fixed term of sentence of prisoners confined in the said reformatory under this Act or any other Act of the Parliament of Canada and such discharge may be either absolute or upon probation subject to such conditions as may be imposed under the authority of the said regulations."

But no such regulations as section ten provides should be made and an indeterminate sentence therefore means in reality a sentence absolute for five years subject to the exercise of the prerogative of mercy. It is not surprising therefore that when the commissioners visited the reformatory there were only 39 boys in the school under indeterminate sentence.

The 31st section of the Provincial Act provides that "In order to encourage good behaviour and industry among the boys in the said reformatory, and with a view to permitting every boy to earn a remission of a portion of the term for which he was sentenced to the said reformatory it shall be lawful for the inspector to make rules so that a correct record of the conduct of every boy may be made under the mark system." The 32nd section says Whenever under the rules in that behalf a boy shall have obtained the complete number of marks based upon good conduct, proficiency in school and industrious habits, and shall in addition thereto have given satisfactory evidence of being reformed it shall be the duty of the superintendent to transmit to the inspector a certificate to that effect and also the separate certificates to a like effect or with such variations as their respective opinions may

render necessary, of the minister or other person who has given religious instruction to such boy, of the schoolmaster . . and of the trade instructors, if any, whom he has been under." The inspector may make further enquiry. If satisfied that the boy has earned his discharge the inspector shall transmit the certificates to the Attorney-General of the Province with a recommendation that action be taken to have the remaining portion of the sentence of such boy remitted or to have such boy discharged on probation for a stated period: "Provided that no action be taken under this section in respect of any boy who has not been at least a year in the reformatory: Provided also that the judge of any county court or any police magistrate may upon satisfactory proof that any boy who was sentenced under the provisions of an Act of the Legislature of Ontario and who has been discharged on probation, has violated the conditions of his discharge, order such boy to be recommitted to the reformatory, there to be confined for the residue of the term for which he was originally sentenced.

No attempt has been made to put this part of the Act into operation, because the only way in which a boy, whether under determinate or indeterminate sentence, could obtain his freedom after having earned it would be by the tedious and troublesome and uncertain process of making application to the Minister of Justice through the department at Toronto. Is this the case in respect to boys committed under Provincial Act? Such applications, although made on the recommendation of the superintendent, chaplain and trade instructor approved of by the Inspector of Prisons, are usually referred to the judge or magistrate by whom the boy had been tried, although he has no means of ascertaining whether the boy has or has not behaved well and given proofs of reformation. It has happened more than once that a boy for a remission of a part of whose sentence application was duly made served out his full term before the Minister of Justice arrived at a decision in his case. The delays and disappointments often have a most injurious effect on a boy who has striven earnestly to deserve a commutation of his sentence.

Without such regulations as the tenth section provides for or proper authority of law obtained in some other way the adoption of the probation or parole system as contemplated by the Provincial Act is impossible.

The 33rd section of the Provincial Act provides that "In case any respectable and trustworthy person is willing to undertake the charge of any boy committed to the reformatory when such boy is over the age of twelve years, as an apprentice to the trade or calling of such person, or for the purpose of domestic service, and such boy is confined in the reformatory by virtue of a sentence pronounced under the authority of any statute of this Province, the superintendent may, with the consent and in the name of the said inspector, bind the said boy to such person for any term not to extend beyond a period of five years from the commencement of his imprisonment without his consent, and the inspector shall thereupon order that such boy shall be discharged from the said reformatory and he shall be discharged accordingly. Provided that any wages reserved in any indenture of apprenticeship made under this section shall be payable to the said boy or to some other person for his benefit."

The 8th section of the Dominion Act of 1880 is an exact transcript of this, except that instead of the words "under the authority of any statute of this Province" the words "under the authority of this Act or any Act of the Parliament of Canada" are used.

But the 9th section of the Dominion Act says: "No boy shall be discharged

under the next preceding section until after the fixed term of his sentence has elapsed unless by the authority of the Governor-General." The exclusive power of the Governor-General to remit or commute penalties was thus asserted.

The provisions of the Provincial Statute although they are somewhat defective would, if put into operation, enable those who are responsible for the management of the reformatory to produce results much more satisfactory than can be attained under the present system or want of system. Until the regulations provided for in section ten of the Dominion Act have been made, the introduction of any system under which the boys confined in the penitentiary can earn their release upon probation or otherwise must be impossible. These regulations if ever made should give the fullest and largest discretionary powers to those to whom the control and management of the reformatory may be entrusted by the Provincial Government. It would, perhaps, lead to no practical inconvenience if some control over the final discharge of boys sent to the penitentiary were retained by the Dominion Government as an assertion of the prerogative. But the establishment without restriction of what is known in England as the license system and in the States as the parole system as provided by the 31st and 32nd sections of the Provincial Statute would trench no more upon the prerogative in Ontario than it does in Great Britain, and to insist that no boy in the reformatory shall be placed out as an apprentice until the fixed term of his sentence has elapsed unless by the authority of the Governor General would be simply ridiculous were it not that so much harm is thus done. The best means of inspiring that hope of freedom which seldom fails to induce the criminal, young or old, to co-operate with those who labor for his reformation is deliberately withheld lest the prerogative be impaired or doubts as to the extent of the legislative powers of the Dominion Parliament be strengthened.

It may be well to limit the period of confinement in the reformatory to a maximum of five years. Under a proper system very few boys would be kept in confinement for half that length of time. But the care of the State for juvenile offenders should not cease either when they are placed out on probation or discharged, the term of their sentence having expired. Under the Massachusetts system a boy having committed an offence for which he may be sent to a reformatory becomes a ward of the State and remains subject to the authority and under the supervision of the State Board of Charities and Corrections during his minority.

Until full power to license deserving boys or place them out on probation be vested in a local authority the reformatory cannot do all the good it ought to do. This was strongly represented by the superintendent in his report for the year 1882, but his representations were disregarded. To the question "Do you think that this institution can ever be made an effective reformatory under the present system?" put by the commissioners, the superintendent answered, "No, never, it is handicapped day by day."

The description of a reformatory school in Montreal given by the inspector of prisons and asylums in the Province of Quebec at the convention of the National Prison Association if correct affords a striking contrast to that of our reformatory in many respects. He stated that a special statute applicable to the Province of Quebec authorizes the judiciary to commit boys apparently under 16 years to reformatories for a term not less than two years nor more than ten years. The judges have no discretionary power to make the sentence less than two years. The pardoning power is vested in the Lieutenant-Governor-in-Council and is often exercised in favor of the boys who behave well. The directors are also authorized to apprentice or hire out as domestic servants, boys or girls, and the time they serve is counted as part of their sentences, but they always remain

subject to the supervision of the reformatory officials. * * There are seven reformatories in the Province of Quebec." Various trades are taught. The inspector thinks that every boy should be compelled to learn some trade during the two years he is in a reformatory. In the Montreal reformatory, which is under the management of a religious body, known as Brothers of Charity, who receive the entire care and control of the boys committed to their school under strict inspection and supervision of the Government inspector, "thirteen trades are now taught, viz., shoemaking, tailoring, printing, carpentering and joining, upholstering, blacksmithing, baking, carriage and sleigh-making, gardening and farming; and in fact every boy strong enough to work is compelled to learn a trade. Those trades are taught to the boys in fully equipped shops attached to the reformatory. In addition every working boy is compelled to attend school one hour every day and chapel morning and evening. The boys who are too young, or who are physically unable to work, attend school six hours a day. They have two and a half hours for recreation. One fourth of each boy's earnings are set apart and given to him when his sentence expires and this enables him to start in life. The Brothers pay their passage home and give them clothes when leaving. A careful record of each boy's conduct is kept and they all know that if they deserve good conduct marks they will be credited with them and thus get their sentences reduced. A good number of boys are pardoned each year on the recommendation of the Superior. The average number is about 25. As many as 50 were pardoned one year. The Brothers endeavor to keep track of all the boys who leave the reformatory to see how they behave when free, and the results have been most gratifying as far as their information goes. Not more than eight per cent. relapse into vice. I consider this reformatory has been a success and it will compare favorably with any other on this continent. Although the premises are not enclosed with the usual prison walls there are but few attempts at escape, and only one successful in six years. The discipline is strictly maintained but it is not severe, and the diet is sufficient both in quality and quantity. The building is pleasantly situated amidst trees and flower gardens and the Brothers have made the interior, particularly the dormitories and refectories, bright and cheerful." Some effort was made to have this reformatory removed from the neighborhood of the city and placed where nearly all the boys could be employed in farming, but this proposal did not receive much support. The inspector thinks it is better where it is as many boys do not like farming, and would not succeed as farmers.

In this school there are about 250 boys on the average. At Penetanguishene the average is over 200. The difference of the results from an industrial point of view is very great. The skill and training of the religious in charge, their conscientious devotion to duty and their system under which the brothers mix constantly and everywhere with the boys, who admire their disinterestedness and devotion are credited with a large share of the success of the Montreal school. Much may be due also to its position in which it has a great advantage over the Ontario school; but much is unquestionably due to the adoption of the system of management, which it has been found impossible to adopt in Ontario, owing to the state of the law. Why, the marks system, and the earning of a remission of sentence under that system, and the licensing out and probation system by the local authorities or by those managing a reformatory are permitted in Quebec, and are positively prohibited in Ontario by section 9, cap, 39 of the Statutes of Canada of the year 1880, the Commissioners cannot attempt to explain. *They however unhesitatingly state that until the most ample powers, in these respects, are conferred on the Provincial authorities, this institution will fail to accomplish the objects for which it was designed.*

Ontario Industrial Refuge for Girls

This institution, which the commissioners visited and carefully inspected, appears to have thus far worked very satisfactorily. The number of inmates on October 1st, 1889, was 49. During the year 19 were admitted, one was returned from apprenticeship, 13 were discharged on expiration of sentence, one was discharged by order of the Governor-General, twelve were apprenticed and 43 remained in the Refuge at the close of the year. Of the 19 committed during the year one was only 4 years old, two were 8, two were 9, three were 10 two 11, three 12, two 13, one 14, one 15, one 16, and one 17 years of age. Of the 19 twelve were committed merely because they were destitute and without a home. Four were convicted of larceny, one of arson, one of frequenting and one as incorrigible.

The sentences varied from six months to six years. Nine were committed for five years, one for six, one for four, one for three years and six months, one for two years, one for twenty three months and one for twelve months. The matron, Mrs. O'Reilly, says "Most of the girls admitted are happily too young to know much of the wickedness of the world, or at least to have formed habits of sin. This being the case, I feel confident from past experience that the judicious training they receive will bear good fruit. Since the opening of the Refuge nine years ago, 141 girls have been under discipline and instruction. Of these 114 were sentenced direct to the Refuge and 27 were transferred from the reformatory. These "transfers" were girls under 18 years of age committed for a first offence. Fearing that association with other criminals would be injurious to them, with your (the inspectors) permission we transferred them to the Refuge. The result has been most satisfactory as during those nine years only three transfers have been recommitted. Of the 114 girls committed direct to the Refuge only six have proved unsatisfactory. * * A fact I ought to mention in respect to these failures is that each girl on her discharge went to her relatives, we having no authority to retain her after the expiration of her sentence. These relatives unfortunately were in almost all cases idle and dissolute people."

Ninety-eight girls have been discharged since the opening of the Industrial Refuge. We have been in correspondence with some of these girls during the past six years. Four of them are respectably married, three of them are holding positions of trust, and all of them save the nine failures, are, as far as can be ascertained, leading honest and upright lives." A great share of the success, the matron says, is due to the peculiar adaptability of Miss Elliott, the lady immediately in charge for teaching and training the girls. The surgeon says "There are several cases in which there appears to be a dwarfed intellect which will to all appearances render the unfortunate possessors incapable of ever being self dependent or capable of fully taking care of themselves. * * On the other hand, it is gratifying to find some who came into the Refuge feeble of both mind and body, ignorant of all that tends to improve mind and body, developing into rugged, rosy cheeked girls, industrious in habit, growing in intelligence, happy and contented in disposition, and fully amenable to the easy discipline of their new home." Miss Elliott in her evidence before the commission said that some of the girls go to the reformatory to work in the officers' quarters and dining room, and to do household work, and kitchen work. These rise at 20 minutes past 6 o'clock. The others rise at 10 minutes to seven. At 7.30 each girl is detailed to work, which is so arranged that each goes over the whole course, except the young children who do no work. At 20 minutes to 9 the children are sent for prayer, the Protestant children with Miss Elliott, the Catholics with Mrs. O'Reilly. After catechism instruction and prayer the children go to school and

are there until twelve, ten or twelve minutes recreation being allowed at 10.30 At twelve they are dismissed for dinner and afterwards they have recreation until 20 minutes to 2 o'clock, when they go to school again and remain until three. They then go to the sewing-room for sewing, knitting, repairing clothes and the like. They have from 5.30 to 7 o'clock. for recreation and study. On Saturday laundry work and the bathing of the children are attended to. The work is given in rotation so as to make the girls good servants. Those who go out are able to make themselves useful. I have traced some 75 per cent. of them who are doing well. Last year we could trace 90 per cent. who have not relapsed into vice and crime. I have since heard that one has not done well though she had done very well for some years after she left us. In nearly 50 per cent. of the cases that come to us the children have bad parents. The others are neglected children, and children whose parents or guardians complain that they cannot control them. We receive from country places several whom we can hardly call idiots, but who are dull and incapable of becoming useful members of society—who are weak-minded and vicious-minded. Such girls, if Catholics, are taken in charge at the Convent of the Good Shepherd. We never could solve the question what should be done with Protestants of this class, who have no home to go to when their term of imprisonment has expired, until we had the Salvation Army. We have sent two to the Haven and the Salvation Army Home. Those who relapsed into crime were generally of this class. I am sure that the nine who the report states failed to turn out well during the nine years the Refuge has been in existence would not have failed if they had been protected after leaving the Refuge. We give the girls of this class instruction, but I am not sure that it does them much good. We do all we can for them. I do not think that any family would care about taking such a burden. Nothing but wrong can come of sending them out into the world. 75 per cent. of all the children are in a state of the most abject ignorance when sent to the Refuge." Of the 19 girls received last year Miss Elliott regarded only one or two as very bad. Several of the girls have very bad tempers. Those who act badly are not allowed to take recreation with the others and are deprived of other privileges. Miss Elliott visited similar institutions in the United States, and she thinks the results of the work at the Refuge compare favorably with those of any of the others, although the conditions are different. In the institutions of the United States girls and young women are committed to the care of a state board or of the managers of the institution, until they reach the age of twenty-one, and they are watched over and cared for after they leave the institution to take places in families. The discipline in the Refuge is not so strict as in some of the American institutions, the object being to bring them up as if they were altogether at home. The doors of the offices and rooms and the front door of the Refuge are not locked during the day and the girls who can be relied upon are frequently sent out on errands. One great difficulty in providing for the future of the girls is that "they are never satisfied to go into the country. It is difficult to get their thoughts turned away from the city."

A great obstacle to the success of the Refuge is that it is placed within the walls which also enclose the reformatory for women. The girls cannot be kept in ignorance of the character of the women whom they see several times every day from their play grounds, and with whom several of the larger girls are brought in contact every day in the kitchen and elsewhere. All this must keep thoughts of evil influence constantly in the minds of the girls, and have a most injurious moral effect, although Miss Elliott says that it does not work as much harm as she at one time feared it must. In the opinion of those outside with whom the girls must mingle when they leave the Refuge, and those from whom

they must seek employment, little or no distinction is made between the Refuge and the Reformatory, and the bad repute of the depraved and criminal inmates of the reformatory must cast a dark shadow on the future of girls who are known to have lived for years within the same enclosure.

Ontario Industrial Schools.

Industrial schools are regarded in Ontario as a part of its school system. The Act of 1884 (47 Vic. c, 46), provides that they may be established by "the public school board of trustees for any city or town, or the separate school trustees therein," or by any philanthropic society or societies incorporated under the Act respecting benevolent, provident and other societies, or any other Act in force in this Province, to whom any board of school trustees may "delegate the powers, rights and privileges conferred on such board" by the Act. The schools may therefore be what are usually called denominational When a school board delegates its powers, the chairman and secretary of that board and the inspector must be members of the board of management of the society to which the powers are delegated, when acting under the powers so delegated. The Act says "A school in which industrial training is provided, and in which children are lodged, clothed and fed as well as taught, shall exclusively be deemed an industrial school within the meaning of this Act."

The school board or the society must provide buildings and grounds which upon report of the inspector, the Minister of Education may certify to be "fit and proper for the reception of children" and the school shall thereupon be deemed a certified industrial school for the purposes of this Act. The board or society may make by-laws, subject to the approval of the Lieutenant-Governor in Council. The school board by which a school has been established or powers have been delegated shall provide the teachers, from whom the general superintendent shall, when practicable, be selected.

Any person may, at a special sitting, bring before the police magistrate or before the judge of the county court, and, except in cities where there is a police magistrate, before any justice of the peace, any child apparently under the age of fourteen years, who comes within any of the following descriptions namely:—

1. Who is found begging or receiving alms, or being in any street or public place for the purposes of begging or receiving alms;

2. Who is found wandering or not having any home or settled place of abode or proper guardianship or not having any lawful occupation or business, or visible means of subsistence;

3. Who is found destitute, either being an orphan or having a surviving parent who is undergoing penal servitude or imprisonment.

4. Whose parent, step-parent or guardian represents to the judge or magistrate that he is unable to control the child, and that he desires the child to be sent to an industrial school under this Act;

5. Who by reason of the neglect, drunkenness or other vices of the parents is suffered to be growing up without salutary parental control and education, or in circumstances exposing him to lead an idle and dissolute life.

6. Who has been found guilty of petty crime, and who, in the opinion of the judge or magistrate before whom he has been convicted should be sent to an industrial school instead of to a gaol or reformatory.

The charge having been sustained by evidence taken in presence of the child, the judge or magistrate may order him to be sent to a certified industrial school, specifying in his written order the name of the child, the school to which he is

to be sent and the time for which he is to be detained; and if an industrial school has been established by the Catholic separate school trustees in any city, the judge or magistrate shall endeavour to ascertain the religious persuasion to which the child belongs, and shall, as far as practicable, send Roman Catholic children to the Roman Catholic industrial school and "other children to the other industrial school." If a mistake be made in this respect the Minister of Education shall, on application of parent, guardian or nearest adult relative, order that the child shall be transferred to the school to which he should have been sent at first. The school corporation or philanthropic society having control of an industrial school may admit any children of proper age committed to it by a judge or magistrate, and shall have the power to place such children at such employments and cause them to be instructed in such branches of useful knowledge as are suitable to their years and capacities.

A minister of the religious persuasion to which such child appears to belong may visit the child at the school on such days and at such times as may be fixed by the regulations of the Education Department in that behalf for the purpose of instruction in religion.

The school corporation or the society may permit a child sent to their school to live at the dwelling of any trustworthy and respectable person, provided that a report is made forthwith to the Minister of Education in such manner as he thinks fit to require.

Any permission for this purpose may be revoked at any time by the school corporation or the society, and thereupon the child shall be required to return to the school.

The time of the child's absence under permission shall be deemed part of the time of his detention, except when the permission is withdrawn on account of the child's misconduct. When the time allowed by the permission has expired, the child shall be taken back to the school. A child escaping from the person with whom he is placed shall be dealt with as if he had escaped from school; that is, he may be arrested without warrant, taken back to the school and be there detained during a period equal to so much of his period of detention as remained unexpired at the time of his escape.

The Minister of Education may at any time order any child to be discharged from an industrial school.

No child shall be discharged upon application to a judge because of any irregularity in the proceedings if it appear from the depositions that the child was liable to be committed to the school, and if the court or judge shall deem it for the benefit of the child that it should remain in the school.

The school corporation or society in charge of such school shall have all the powers conferred upon charitable societies by sections 2 and 6 of the Act respecting apprentices and minors, and may make rules not inconsistent with the provisions of this Act, for the management and discipline of the school; but these shall not be enforced until they have been approved of by the Education Department.

A judge of the Division Court may, on due application, examine into the ability of the parent, step-parent or guardian of a child to contribute to the support of a child committed to an industrial school, and after he has heard evidence may, if he think fit, order that the parent or guardian pay such weekly sum not exceeding $1.50 per week as to the judge seems reasonable, during the whole or any part of the time during which the child is liable to be detained in the school The judge may vary this order from time to time as circumstances may require.

The Act requires that the county, city or incorporated town in which the child last resided for a period of one year shall pay the expense of the mainte-

nance of the child if such city or town is not that in which the industrial school is situate. The city or town in which an industrial school is situate was required to pay a sum of not less than $1.50 per week towards the maintenance of each child that had resided in it for one year last preceding its admission, and whose maintenance was not otherwise fully provided for. An amendment of the Act increased the minimum to be paid by municipalities to $2 per week.

If a child while liable to be detained in a certified industrial school escape he may at any time before the expiration of his period of detention be apprehended without a warrant and brought back to the same school, there to be detained during a period equal to so much of his period of detention as remained unexpired at the time of his escape.

In case any money is granted in aid of industrial schools by the Legislature, it shall be the duty of the Minister of Education to apportion it according to the average number of pupils in each school during the preceding year.

The 29th section provides that "Whenever it is satisfactorily proved that the parents of any child committed under the provisions of this Act have reformed and are leading orderly and industrious lives and are in a condition to exercise salutary parental control over their children and to provide them with proper education and employment; or whenever, such parents being dead, any person offers to make suitable provision for the care, nurture and education of such child as will conduce to the public welfare and will give satisfactory security for the performance of the same, then the board of school trustees or philanthropic society may discharge such child to the parents or to the party making provision for the care of the child aforesaid."

By the provisions of this Act great progress has been made towards a thorough system of dealing with destitute and neglected children and those who have committed petty offences. The facilities afforded for placing all such children in the industrial schools are ample. The powers given to the boards or societies managing such schools, although not all that are necessary, are extensive. They may make by-laws subject to the approval of the Lieutenant-Governor in Council and rules and regulations which when approved of by the Minister of Education have force of law. They may place children out on license or probation and recall them when such action seems necessary. They may return children to their parents when they think proper or, the parents being dead, place them with other persons giving satisfactory security and in so doing discharge them from the custody of the board or society. The Minister of Education may, by his own authority, order the discharge of any child at any time. What is absolutely prohibited in the case of children sent to the reformatory seems to be regarded as unobjectionable when done in the name of education.

The system created by this Act is, however, defective in some important respects. It makes no provision for the reformation or preservation of children in their own homes as is done under the probation system of Massachusetts; no provision for placing in any other home, unless through the industrial school, the children of vicious parents or those who are destitute. The rights of parents should be held sacred until they have been forfeited by gross, wilful neglect or by such continued gross misconduct as must work the ruin of their children. But in many cases the only means of saving the child is its immediate and complete removal from parental control and parental influence. Even after the period of detention if, indeed, there should be any period of detention other than the child's minority in such cases children should not be allowed to return to parents who continue to lead vicious and criminal lives. The English official reports say that a great proportion of the recidivists in the reformatories are boys and girls who on the expiration of their terms returned to homes where the in-

fluences were bad, and Miss Elliott stated that the nine girls who proved "failures" after their discharge from the Mercer refuge failed because the influence of the homes to which they returned proved evil.

Absolute discharge is objectionable in any case in which the boy or girl may be benefited by the surveillance and protection of the school authorities.

An Act passed by the Ontario Legislature last year provides that "No boy shall be received for confinement in the Ontario Reformatory for Boys who appears to the superintendent of the reformatory to be under the age of thirteen years, and that corresponding amendments be made in the Act respecting the reformatory. It is well that boys of tender age should be kept out of the reformatory if possible, but it would be a great mistake to suppose that boys can always with advantage or with safety be classed according to age. All the evidence taken on this point agrees that boys of eight or nine have, in many cases, received a thorough training in vice and are thoroughly depraved. It is well to know, therefore, that a judge of the county court or a police magistrate on complaint of the officer in charge of an industrial school may send an inmate of such school to the reformatory if satisfied that "by reason of incorrigible or vicious conduct or escape or habits of escape and with reference to the general discipline of the school he is beyond the control" of such officer. If this section does not apply to boys under thirteen the law should be amended in that direction.

The Ontario statute further provides that "Where under the authority of any statute of the Province or of any other statute or law in force in the Province and relating to matters within the legislative authority of the Legislature of the Province any offender is convicted, whether summarily or otherwise, of any offence punishable by imprisonment by any judge, stipendiary or police magistrate, or justice of the peace who, at the time of the trial, is of the opinion that such offender does not exceed the age of thirteen years, such judge, magistrate or justice may order such offender to be sent to a certified industrial school subject to the provisions of the Industrial Schools Act, and that such offender shall thereupon be detained in such industrial school until he be reformed or otherwise fit to be apprenticed or bound out or be probationally or permanently discharged under the provisions of the Industrial Schools Act, and such detention shall be substituted in such case for the imprisonment in the penitentiary or reformatory or such place of confinement by which the offender would otherwise be punishable under any such statute or law relating thereto as aforesaid; provided that in no case shall the offender be detained beyond the age of 17 years."

These sections extend the scope of the Industrial Schools Act so that even children who commit serious offences, if they are under 13 years of age, may be sent to industrial schools, and they seem to provide for the system of indeterminate sentences to some extent. An Act passed by the Dominion Parliament last session provides that children under 13 years of age now in the reformatory or in any gaol of the Province may be removed to certified industrial schools, and that boys under thirteen years of age who are convicted of any offence punishable by imprisonment under the laws of Canada may be sent to such an industrial school. Parliament, however, adheres to the old system of fixing the term of imprisonment at "not exceeding five years nor less than two" The Dominion Act says:—

32. The Governor-General, by warrant under his hand, may at any time in his discretion (the consent of the Provincial Secretary of Ontario having been first obtained) cause any boy who is imprisoned in a reformatory or gaol in that province, under sentence for an offence against a law of Canada, and who is certified by the court, judge or magistrate by whom he was tried to have been, in

the opinion of such court, judge or magistrate, at the time of his trial of or under the age of thirteen years, to be transferred for the remainder of his term of imprisonment to a certified industrial school in the province.

33. Where under any law of Canada any boy is convicted in Ontario, whether summarily or otherwise, of any offence punishable by imprisonment, and the court, judge, stipendiary or police magistrate by whom he is so convicted is of opinion that such boy does not exceed the age of thirteen years, such court, judge or magistrate may sentence such boy to imprisonment in a certified industrial school for any term not exceeding five years and not less than two years: Provided that no boy shall be sentenced to any such school unless public notice has been given in the *Ontario Gazette* and has not been countermanded, that such school is ready to receive and maintain boys sentenced under laws of the Dominion: Provided, also, that no such boy shall be detained in any certified industrial school beyond the age of seventeen years.

THE INDUSTRIAL SCHOOL AT MIMICO.

The school at Mimico, still the only industrial school in this Province, is conveniently situated on a farm of 50 acres of good land a few miles from the city of Toronto and a short distance from a railway station. The buildings command a fine view of Lake Ontario. The land was given by the Provincial Government for this purpose. The school was opened about three and a half years ago. At the annual meeting held in October, 1889, it was stated that there were then 108 boys in the school. A year before the number was 55. When the Commissioners visited the school the number was said to be 140, and it has since increased considerably we believe. The boys are chiefly sent from Toronto, but when the report of the year 1889 was written there were eight from the County of York, five from the County of Ontario, three from Oxford, three from Simcoe, two from Welland, two from Lincoln, and one from each of the Counties of Norfolk, Brant, Peterborough, Perth and Haliburton. Nine of these boys were from 7 to 9 years of age, forty-six were from 10 to 12, and fifty three from 13 to 15.

It is stated in the report that eighteen of these boys were employed on the farm, eleven in the carpenter's shop, sixteen in the tailor's shop, fourteen in the laundry and house work, twenty-one in the kitchen and dining-room, one in the Superintendent's office and store room, and twenty seven in the cottages at house work and mending. Their time it was stated was divided as follows: in manual labour in the several departments 4 hours each day; in school work, 3 hours; in play out of doors 2 hours; in washing, dressing and meals 2½ hours; in Bible reading and devotional exercises 1 hour; in reading and recreation in cottages 1 hour; in sleep 9½ hours.

The school is conducted on the combined cottage and congregate plan. The [illegible] completed at the time of the Commissioners visit were built to accommodate 140 boys, and as there were then 140 boys in the school they were undercrowded. The construction of another cottage had been begun. Another [illegible] is now [illegible]. Workshops are also required. The cottages are very neat structures [illegible] apparently well adapted for their purpose, but as in the cottages of several similar institutions the only supervision of the boys at night is what one of the officers who sleeps in an adjoining room from which a small door opens on the dormitory can give. Some of the boys are too young to work, but the larger ones seemed to be well employed. The boys seem to be well treated, and in the farm yard were several excellent cows.

The boys are taught farming, carpentering, and tailoring, and a number were employed in the kitchen and laundry.

There is no shoemaking, but the boys mend shoes in the winter. One boy managed the shoe room and the others assisted him. Of the boys, 57 were too small to work on the farm, and of the larger boys, more than the number stated in the Annual Report (18) could not be spared for that work, as a number must be employed in the kitchen, laundry and domestic work. When a boy first goes to the school, he is, as a rule, sent to the laundry. This the boys do not like. When a new boy comes in, the best boy in the laundry is moved to the kitchen. From the kitchen the boys go to the dining room, and from that to the carpenter shop or to the farm. On holidays, all the big boys are sent to the farm.

Asked whether the instruction is given in the carpenter and other shops with a view to enabling the boys to follow these trades when they go out, the Superintendent said:—"Well, my idea is to make them handy lads. My idea is that they should go on farms, go out into the country, to Manitoba, for example, and perhaps keep bachelor's hall there. I think a boy should be taught to cook for himself, mend for himself, make a pair of socks for himself, fix anything that is needed about a farm building, and generally to be independent of needing other assistance. As yet, none of our boys have gone to the trades they learned here. But it makes them handy, and if they learn one thing, they will pick up anything else a great deal quicker. We try to put any boys that come here through a whole course and do not confine them to any one special thing. But it is to make them useful on a farm that I aim at giving them a little training in a carpenter shop. We really don't teach them anything but tailoring well. Some of our boys who have been here two or three years can make a very nice coat, better than you will get in the average shop in Toronto, that is, of the common sort." He also said:—"I encourage the boys as much as possible to go on farms. I place with the farmers here in the summer months as much as I can and I encourage as many as I can to go to the free grant lands of Ontario, or to Manitoba. I think a boy has a far better chance of becoming comfortable and useful there than in going back to the city. We have now eight or ten boys working in the neighbourhood with farmers, on trial, and three of these will stay to complete the year. But boys who come from the cities generally prefer city life, and parents who live in cities wish their boys to return to them when discharged."

In nearly all cases, the Superintendent says, the boys are committed to this school at the request of their parents or some friends. It is manifest that such an institution must offer strong temptations to unprincipled, worthless parents to rid themselves of the care and expense of bringing up their children at home, unless the provisions of the law requiring all parents to contribute in proportion to their means to the maintenance of the children sent to the school be strictly enforced. The Superintendent said that many do agree to pay. The amount is fixed according to circumstances. Some pay 50 cents a week, some a dollar, and others $1.50. The maximum is $2. Many make their payment at the school on visiting day.

Since the school was opened only two boys have been dealt with as incorrigibles. One of these was a boy sent out from the old country by a charitable association. He ran away three times. Both were sent to the reformatory at Penetanguishene.

DRUNKENNESS.

Although the volume of vice and crime may be greatly reduced and the number of criminals be greatly lessened by proper care of the young the State must always be prepared to employ prevention or remedy in the case of many adults whom natural weakness or an evil disposition and the want of such an education as strengthens what is weak in the character and corrects what is bad, expose to danger or involve in crime.

Drunkenness does more than any other cause to fill the gaols, and it unquestionably does much to recruit the ranks of the criminal classes. Of the 11,893 persons committed to the gaols of the Province during the year 1889 no less than 4,777 were charged with having been drunk and disorderly, and in all probability excessive use of strong drink was the chief cause of trouble in the case of the 534 persons who were committed on the charge of common assault. Of the 11,587 cases disposed of in the police court of the city of Toronto 5,441 were cases of drunkenness and of disorderly conduct caused by drunkenness. The proportion in the other cities, as will be seen by reference to the returns published elsewhere, was about the same. The number of convictions on charges of drunkenness in the province during the year was 7,059, very nearly one-third of the whole; and of the 675 prisoners in the common gaols at the close of the year a very large proportion were habitual drunkards.

A similar state of things exists in other countries. In England and Wales the convictions for drunkenness were 166,366 in the year 1889, or nearly one-fourth of the total number. A few years before they were 205,567. In Scotland the convictions for this offence numbered 28,740 in the year 1889. How many of these paid the penalties by imprisonment the reports do not state, but the proportion was probably large.

A very large proportion of those convicted of drunkenness are habitual drunkards who are fined or imprisoned many times. The commissioners of Prisons of England and Wales caused enquiries to be made at some of the largest prisons "with a view to eliciting information which may throw some light on the subject of re-conviction." They say that the prisoners who are frequently convicted are addicted to committing the same crime or offence time after time, these offences being in the case of males, drunkenness, theft, assault and vagrancy, and in the case of females, drunkenness theft and vagrancy. Of the last 1,700 male prisoners received on re-conviction at the prisons from which returns were asked for, 466 or 27·4 per cent were for drunkenness; 273 or 16 per cent. for theft, 142 or 8·3 per cent. for assault and 137 or 8 per cent. for vagrancy. Of 1,300 female prisoners 696 or 57·5 per cent were for drunkenness, 146 or 11·2 per cent. for theft and 92 or 7 per cent for vagrancy.

In Scotland the number of re-convictions is large. Of those convicted on all charges in 1889, 4,803 had been convicted once before; 2,430 twice before, 1,477 three times before; 1,074 four times before; 695 five times before, 1,504 six times and under ten, 1,370 ten times and under twenty, 714 twenty times and under fifty, and 379 fifty times and upwards. The total number convicted more than once was 14,706. A large proportion of these were drunkards.

The total number of persons committed to local prisons in Ireland during the year ending March 31st 1888 was males 10,769 females 6,764, total 17,533. The report does not state the number of those who were previously convicted, but the proportion probably was large.

In the state of Massachusetts the whole number sent to gaols and houses of correction to undergo sentence for drunkenness in the year 1889 was 13,286 of

whom 11,863 had the option of paying a fine, 1,023 were sentenced to imprisonment for terms of less than six months; 362 for terms of six and less than 12 months, and 38 for one year and less than two. The total number convicted of drunkenness and held in all the penal institutions on one day for non-payment of fine and costs was 1,542; and the total number of those so convicted and held on term sentences was 811.

The total number sent to the Boston House of Industry during the year 1889 for offences of all kinds punishable by imprisonment in that institution was 13,749. Of these 44 were committed as habitual drunkards and 11,958 others on charges of drunkenness. One of those convicted as a common drunkard was committed 18 times. But of those not so classed many were committed more frequently. 1,006 were committed a third time; 724 a fourth time; 596 a fifth time; 1,388 more than five and less than ten times; 1,405 ten times and less than twenty times; 576 twenty times and less than 40 times and several others even more frequently, one who died in confinement having been committed 176 times.

The fact that no general persistent effort has been made in any country to provide by law against the continuance of this deplorable state of things proves that so far it has been found difficult if not impossible to deter or reform the drunkard by any legal process. Massachusetts is doing something to test the value of continued reformative restraint and training. During the year 1889 fifty-two common drunkards and 77 convicted of drunkenness for the second or third time were sent to the reformatory for men, the whole number sent from 1884-5 inclusive being 354 common drunkards and 654 convicted of drunkenness more than once. To the reformatory for women 92 were sent for drunkenness, the average length of whose sentences was one year two months and six days. The superintendent of the reformatory for women says that many of the drunkards entrusted to her care have been thoroughly cured. Her opinion is that it requires fully two years to quench the craving of a confirmed drunkard for alcoholic stimulants, and to build up the moral and physical strength sufficiently to enable her to resist temptation when she returns to the world. During the past nine years 917 women have been committed to this institution on charges of drunkenness.

That these partial and feeble efforts have been insufficient to reduce the amount of drunkenness perceptibly, is shown by the reports from the gaols and the Boston House of Industry which have been quoted. Some effort more thorough and general is absolutely necessary.

It was supposed at one time that a very large number of the drunkards of the country could be rescued from the terrible degradation in which they are sunk by the establishment of inebriate asylums in which at least those who desired to shake off the dreadful habit would be effectually assisted by skilful medical treatment. The belief in the efficacy of such treatment is neither so general nor so strong as it was a few years ago.

Compulsory abstinence from the use of alcohol in any form and a careful strengthening of the moral and physical nature may be successful in rescuing many of those who have not become mere wrecks mentally and physically and who are not thoroughly depraved. To achieve any marked degree of success in dealing with this monster evil, prevention and earnest rational means of restoring the fallen must be combined.

The evidence given as to the causes of drunkenness, its effects and the best mode of dealing with it differed very widely. Some witnesses thought drunkenness a disease. Even those who refused, on scientific grounds, so to regard it, thought that the drunkard is in most cases to be

pitied rather than condemned. That a love of stimulants and a consequent tendency to become drunkards is hereditary is an opinion which we found to prevail very generally. That some, because of their peculiar nervous organisation, or other constitutional weakness, become victims of this dreadful passion more readily than others, and having fallen, can do less to rid themselves of it, was generally admitted. Few, if any, thought that those whose only offence is drunkenness, should be treated as criminals. Many who frequently drink to excess, are amiable, inoffensive and industrious, when sober good fathers, sons and brothers, and even when drunk are harmless. Many, notwithstanding their occasional outbreaks, do much towards supporting their wives and families. To take them away for six or seven months, even for the purpose of effecting a cure, would be to inflict much suffering on those who depend on them for their daily bread. The brutal ruffian who drinks all the money he can get hold of, including the earnings of his wife and the alms which he forces his children to beg and who takes a savage pleasure in maltreating those he should cherish and protect: the sot who is never sober and who spends an utterly worthless, and useless existence everyone seemed to agree, should be locked up as long as may be necessary where they could do no harm to themselves or any one else. But these are by no means the only drunkards whose cases require consideration.

On some points the governors of gaols and others, who have had special opportunities for observation, were almost unanimous. On those who have not become the slaves of alcohol, imprisonment, even as now managed, has a deterrent effect. Of those arrested for drunkenness, calculating not the number of arrests, but the number of persons arrested, more than one-half do not subject themselves to arrest a second time. Those who feel the shame and disgrace of the position avoid it thereafter. Even of those who are twice arrested, a large proportion afterwards avoid gaols and lockups. Those who are arrested more frequently, become utterly case hardened, shameless and indifferent. For them, the gaols as at present conducted have no terrors, they are places of rest and refreshment, not of punishment.

It is admitted on all sides that the present mode of dealing with those arrested for drunkenness is not effectual as a means of preventing drunkenness and that as a means of reclaiming those who have become addicted to the excessive use of strong drink it is an utter failure. The imposition again and again of a paltry fine with the alternative of a few days, or a few weeks imprisonment has no serious effect either reformatory or deterrent and a cry against the continuance of this absurd system has arisen in every country in which drunkenness is prevalent. The superintendent of the Boston House of Industry speaks of the system as heedless and says, I would suggest that a law be passed whereby rounders or common drunkards be committed to some institution for an indefinite period of time and their release depend on their reformation. The Board of State Charities of Ohio say: In our workhouses on the average fully one half the prisoners are habitual and many of them have been convicted scores of times. This class are largely habitual drunkards who make the workhouse a place of refuge to sleep off or to recruit their wasted energies at the expense of the public. When at large they are a terror to their families and a curse to the community. To them temporary imprisonments are neither reformatory nor preventive and the costs of repeated convictions are unnecessary expenses to the Government. . . . To remedy this condition of affairs workhouse superintendents are substantially unanimous in recommending cumulative sentences doubling the fine and time at each repetition and if this should prove ineffectual then after the third or fourth offence make the sentence indefinite with a five years

limit with power of parole for good conduct at the end of one year. This action would at least protect the public to a large extent from this class of offenders and would make their labor of sufficient value to pay the expenses of the prison and possibly something for the support of their families. The secretary of the Board of Charities of the State of Minnesota in his report for 1889 says "The committal of this class of convicts to prison for ten days or less is worse than useless. It only cleans them up and whets their appetites for a new debauch."

The evidence to this effect corroborated as it is by the observation of every one who has given attention to this subject is conclusive.

The witnesses who appeared before the commission were satisfied that in many cases the reformation of drunkarks can be effected if the effort be made in time and proper means be employed and that much good can be done even in cases in which occasional relapses may occur. They agreed that to effect a cure it is absolutely necessary that the drunkard should be kept under restraint until the craving for strong drink has been subdued and the physical, mental, and moral nature has been sufficiently strengthened. Three months may be sufficient in some cases to work this great change, six months may be sufficient in others; but in many cases at least a year would be necessary and in not a few cases even more than a year. It was the general opinion also that it is absolutely necessary that the minds and bodies of those under restraint should be actively employed, that habits of industry should be enforced and that all wholesome influences, physical, intellectual, moral and religious, should be employed to give the strength needed in what must be a life-long struggle.

Tramps—Vagrants.

Sir James F. Stephen in his History of the Criminal Law of England, Vol. 3, pp. 266-274 describes the origin and growth of vagrancy in England, the gradual change in its character and the means employed at different times to repress it. He says: "Vagrancy may be regarded to a great extent as forming the criminal aspect of the poor laws. . . The Statute of Labourers was closely connected with the first appointment of Justices of the Peace, who were originally directed to hold quarter sessions in order to administer it. Shortly the leading points of that legislation and its connection with the poor law were these:—First came serfdom, next came the Statute of Labourers which practically confined the labouring population to stated places of abode and required them to work at specified rates of wages. Wandering or vagrancy thus became a crime. A man must work where he happened to be and must take the wages offered him on the spot, and if he went about even to look for work, he became a vagrant and was regarded as a criminal: this if they had been able to tell it would no doubt have been the labourers' account of the matter. The statute book tells the story from the employers' point of view and no doubt with a great deal of truth. Statute after statute passed in the reign of Richard II., referring to the number of persons who wandered about the country and committed all sorts of crimes, leaving their masters, associating in bands, 'and overawing the authorities.'" Statute 7 Rich. II., c. 5 says, "and moreover it is ordained and assented to restrain the malice of divers people, feitors, and wandering from place to place, running in the country more abundantly than they were wont in time passed, that from henceforth the justices of assizes in their sessions, the justices of the peace, and the sheriffs in every county, shall have power to enquire of all such vagabonds and feitors and their offences and upon them to do all that the law demandeth." The Act 12, Rich. II., passed in 1388 provided that "no servant should leave the hundred in which he dwelt without a letter patent from the king, stating the cause of his

going and the time of his return. There was to be a seal in every hundred for the purpose of giving these letters and anyone found wandering without such a letter was to be put in the stocks and kept until he found surety to return to his service. This was to be done by the mayors, bailiffs and stewards of lords and constables of towns. Besides which it is stated that artificers, labourers and servants are to be duly justified by the sessions of peace; whether at the sessions or in a summary way, is not stated. Another chapter forbids begging and makes a distinction between beggars able to labour, who are to be treated like those who leave the hundred and beggars impotent to serve, as to whom it is enacted that they shall abide in the cities and towns, where they be dwelling at the time of the proclamation of this statute and if the people of cities or other towns will not or may not suffice to find them, that then the said beggars shall draw them to other towns within the hundred, rape or wapentake or to the towns where they were born within forty days after the proclamation made, and there shall continually abide during their lives. What they are to do if these towns will not or may not suffice to find them, does not appear. This Act, however, is the first which recognises the impotent poor as a class distinct from the able-bodied poor and may thus in some sense be regarded as the origin of the later poor law." Similar acts were passed in the reign of Henry IV. A remarkable Act passed in the reign of Henry V., 2 Hen. V., c. 4, recites that "the servants and labourers of the shires of the realm do flee from county to county, because they would not be justified by the ordinances and statutes by the law for them made to the great damage of gentlemen and others to whom they should serve," and it empowers "justices of the peace to send their writs for such fugitive labourers to every sheriff in the realm of England, who are to take them and send them back to the place whence they came." Some acts passed in the reign of Henry VII., authorised constables to put vagrants into the stocks instead of committing them to gaol. An act passed in 1530—22 Hen. VIII., c. 12, provided that the impotent poor were to be licensed by the magistrates to beg within certain local limits. Out of their limits, begging was in their case to be punishable by two days and nights in the stocks with bread and water. Begging without a letter was to be punished by whipping. Vagrants "whole and mighty in body and able to labour, were to be brought before a justice, high constable, mayor or sheriff who at their discretion shall cause every such idle person to be had to the next market town or other place most convenient and to be there tied to the end of a cart naked, and be beaten with whips throughout the same town or other place till his body be bloody by reason of such whipping." After that he was to be sent back to labour being liable to more whipping if he did not go straight home. "Scholars of the universities of Oxford and Cambridge that go about begging not being authorised under the seal of their universities" were to be treated as strong beggars. Proctors and pardoners going about without sufficient authority people pretending to knowledge in palmistry or other crafty science were to be even more severely handled. For the first offence they were to be whipped for two days together; for the second offence to be set in the stocks two days and the third day to be put upon the pillory from 9 a.m. to 11 a.m., and to have an ear cut off; for the third offence the same penalty the other ear being cut off. An act passed five years after provided that that the valiant beggars and stirdy vagabond should be set to work and the poor people to be succoured, relieved and kept and that the churchwardens and two others in each parish collect alms for the purpose. This provides also with regard to a description of vagabonds called "ruffelers" calling themselves serving men but having no masters that when taken they were to be whipped and "to have the upper part of the gristle of the right ear cut clean off so that it may appear for a perpetual token that he hath

been a contemner of the good order of the commonwealth." If a person so marked offended again in the same way, he was, on conviction at the quarter sessions, to be hanged.

These laws were not considered sufficiently severe and they were repealed by 1 Edward VI., c. 2 which provided that every loitering and idle wanderer who will not work is to be taken for a vagabond marked with a V and adjudged a slave for two years to any person who demands him, to be fed on bread and water and refuse meat and caused to work in such labour "how vile soever it be as he shall be put unto by beating, chaining, or otherwise." If he ran away he was to be branded in the cheek with the letter S and adjudged a slave for life and if he ran away again he was to be hanged. If no one would take the vagabond, and if he had been a vagabond three days, any justice of the peace may cause the letter V to be branded "on his or her breast with a hot iron," and send him to the place where he was born, there to be compelled to labor in chains or otherwise on the highways or at common work or from man to man as the slave of the inhabitants who were required under penalties to keep him to work. If the vagabond misrepresented the place of his birth he was to be branded in the face and to remain a slave for life. This Act lasted only two years. Other provisions less severe were made. During the reign of Philip and Mary, provision was made for weekly collections for the poor. All laws existing on these subjects were repealed by 14 Elizabeth, c 5, which provided that all beggars should be grievously whipped and burnt through the gristle of the right ear for the first offence and be guilty of felony for the second. The Statute 39 Eliz. c. 4, passed in 1597, repealed all previous enactments and provided that the justices of counties have power to erect houses of correction for the reception of rogues and vagabonds and sturdy beggars until they are either put to work or banished to such places as may be assigned by the Privy Council. Any such persons found begging were to be stripped naked from the middle upwards and be openly whipped, until his or her body be bloody, and be then sent to their birth place or place of residence by a fixed route to be whipped on every deviation from it. They were thence to be taken to the house of correction there to be kept until they were employed or banished. This Act defined rogues and vagabonds as all persons calling themselves scholars going about begging, all seafaring men pretending losses of their ships and goods; all idle persons going about either begging or using any subtle craft or unlawful games and plays, or feigning to have knowledge in physiognomy, palmistry or other like crafty service or pretending that they can tell destinies, fortunes or such other fantastical imaginations; all fencers, bearwards, common players and minstrels; all jugglers, trickers and petty chapmen; all wandering persons and common labourers, able in body and refusing to work for the wages commonly given; all persons delivered out of gaols that beg for their fees or travel begging; all persons that wander abroad, begging, pretending losses by fire or otherwise and all persons pretending themselves to be Egyptians. This statute with some slight amendments remained in force for nearly a century. In 1601 the famous statute establishing a system of poor law relief passed. An Act of the reign of James I. provided that rogues adjudged incorrigible may be branded on the left shoulder with a hot burning iron of the size of a shilling and an Act of the reign of Anne which re-enacted the Act of 1597, with a few alterations and omissions authorized the justices to convict incorrigible rogues to the custody of any persons who would receive them as servants or apprentices (practically as slaves, and set them to work either in Great Britain or any of the colonies for seven years. An Act modifying this and extending its provisions to any persons acting plays (out of Westminster) where they had not a legal settlement or were not licensed by the Lord Chamberlain was passed in

the reign of George the first. The Act 17 George 2, c. 5, gave the law relating to such offences much of the shape which it retained when Sir J. F. Stephen wrote (1883). It distinguished them in three classes, (1) idle and disorderly persons, (2) rogues and vagabonds, and (3) incorrigible rogues; and it regulated in minute detail all proceedings to be taken for their arrest, return to their place of settlement and punishment. It included as liable to its penalties, persons running away from their wives and children. Other Acts were passed in the reign of George III. The Act 5 Geo. 4, c 83, now in fact greatly extends the definition of a rogue and vagabond including under it many offences against public decency and many acts characteristic of criminals, though not actually criminal such as being armed with intent to commit felony, being found in dwelling houses, yards or elsewhere for any unlawful purpose, or, being reputed thieves, frequenting rivers, canals or streets with intent to commit felony and many others. These have been so extended by recent legislation that it may now be almost stated as a general proposition that any person of bad character who prowls about apparently for an unlawful purpose is liable to be treated as a rogue and vagabond

"In the times when serfdom was breaking down and when the Statute of Labourers provided what might be regarded as a kind of substitute for it, provisions as to vagrancy were practically punishments for desertion. The labourer's wages were fixed. His place of residence was fixed. He must work where he happened to be. If he went elsewhere he must be taken and sent back. By degrees the order of ideas which this view of the question represented died away. The vagrant came to be regarded rather as a probable criminal than as a runaway slave. He must be made to work or else treated as a criminal. If he cannot work he may have a license to beg. Social and economic causes of various kinds increase the number of vagrants and the law becomes so severe that for a short time vagrants are condemned to slavery, branding and death. As time goes on it becomes obvious that mere punishment on the one hand and mere voluntary charity on the other will not meet the evil admitted to exist. An elaborate system of poor law relief is founded by the famous act of 1601 and in anticipation of it the Act of 1597 treats the offence of vagrancy no doubt with what we should regard as extreme severity but still with less severity than had formerly been applied to it. Through the seventeeth century little change was made in the law; but in the eighteenth century the whole system of poor law relief was elaborated and the law of vagrancy was recast so as to punish those persons who really preferred idleness to parish relief. The new poor law of 1834 and the Acts subsequent to it have not altered the law of vagrancy although it has been made more searching and stringent as the efforts to suppress crime by a vigorous system of police have increased in energy and stringency.

It is alleged that during the reign of Henry the Eighth no less than seventy-two thousand persons, whose only offence was, that they were sturdy and would not work were put to death. This statement seems incredible, yet the Acts quoted above show that this offence was punished with great severity and often with death.

About the middle of the eighteenth century all Europe was desolated by the scourge of innumerable tramps. Prince Charles then Governor of Flanders called the attention of the Privy Council at Vienna to the inefficacy of whipping, branding and torturing for the repression of the evil. "M. de Fierlant in strong language before the Council denounced as useless the employment of infamous and torturing punishments, and advocated the immediate establishment of houses of correction. With profound philosophical insight he declared that people without honour could not be restrained by fear of infamy; that neither the scaffold, the scourge, nor the branding iron could ever put an end to disorders that had their

source in a dislike of work; and that the only means of correcting the idle and lazy was to compel them to labour. The Empress herself wrote two papers on the subject honourable alike to her intelligence and her humanity in which she recommended the gradual abolition of capital punishment except in cases of atrocious crimes and the establishment of correctional prisons to take its place."

"What shall we do to repress vagrancy" is still a question that perplexes statesmen and magistrates, and strange to say it seems most difficult of solution in the United States and Canada in which it was almost unknown until the great civil war disturbed all the social elements and created a liking for an idle shiftless life. To-day vagrancy is perhaps as great a nuisance in Ontario as in any state of the Union. Many of the lazy and worthless amongst our own people have adopted it as a profession. Under the system of assisted passages many have been brought to Canada from Europe who never intended to make a living by honest labour and a large number of inveterate vagrants still drift from the United States into this Province.

The number sentenced to confinement in the gaols of Ontario as vagrants during the year was 783 in 1869; 1,641 in 1875; 2,128 in 1876, and 3,888 in 1877. This was the largest number in any one year. For seven years after the number decreased. In 1878 it was 2,524; in 1879 it was 2,536; in 1880 it was 2,210; in 1881 it was 1,589; in 1882 it was 1 449; in 1883 it was 1,554. In the next year the number rose to 2,130; in 1885 it was 2,445; in 1886 it was 2,243; in 1887 it was 2,192; in 1888 it was 2,301, and in 1889 it was 2,164.

The number committed as vagrants in this Province in 1889 was 17.2 per cent. of all the prisoners committed. The British reports do not show what proportion of those sentenced to imprisonment are vagrants, but of those re-committed, as a special return shows, 8 per cent. of the men and 7 per cent. of the women were committed as vagrants. Of 15,673 who were sentenced to imprisonment in the gaols and houses of correction of the State of Massachusetts in the year 1889, only 680 were sentenced as vagrants or tramps, and of these 486 were sentenced to less than six months imprisonment, and 157 to six and less than twelve months. Of the 13,033 committed to the Boston House of Industry, only 102 were committed as vagrants and tramps, while, in the same year, 333 were apprehended as vagrants in the city of Toronto.

Rev. A. H. Baldwin, one of the directors of the House of Industry, in his evidence before the commission said:—"In the city of Philadelphia if they have 27 or 30 vagrants on one night they consider that they have a large number, and they have in Philadelphia a million people, I believe. We have about 175,000 people, I suppose, and yet we have over a hundred vagrants at night. They take them in only for three nights. They have a place similar to ours, but not so good. They have just a small house and a large covered yard for the purpose of providing work for the men splitting wood and so on. They are not quite so gentle as we are. They turn them out very early, while it is yet dark. If the vagrants remain more than three days they have to go to the House of Correction to be dealt with in the same way as other prisoners. In Baltimore, with between 400,000 and 500,000, they have no provision whatever for tramps."

Toronto is the chief winter quarters of the army of tramps that infest this Province. During the summer they are scattered over the districts, not too remote from that city, in which experience has taught them that they can most easily make a living by doing small jobs, by begging or by pilfering; and as winter approaches they set out on their return, following almost invariably, the same tracks. Thus, while they swarm in some towns, they give little trouble in others. They visit Milton in large numbers, and as there is no lock-up, find their way to

the gaol, where they obtain a night's shelter, room to sleep on the floor, and a meal or two. In some cases they are taken to the gaol by a constable, but in many cases they are themselves the bearers of the warrants for their own commitment which they procure from some accommodating justice of the peace or constable. They seldom remain in Milton more than one night, and they are "let go" in the morning as a matter of course.

Although the number of vagrants committed to the gaols is so large, that is by no means the whole number. Where there are police stations and lock-ups, many receive a night's shelter of whom no account is made in the gaol returns, and in Toronto great care is taken to save the tramps from the necessity of going to gaol, in order that those who are honestly seeking work and willing to labour, may not undergo the degradation and loss of self-respect which are usually the consequences of imprisonment in a gaol.

Rev. Mr. Baldwin describing the treatment of vagrants in Toronto, to the commissioners said: "I have visited other places on this continent and I have found that in the cities of the United States, where they have three times the population, there is only a tithe of the number of vagrants we have. It seems almost incredible that we should have in the city 1,481 tramps last winter at one institution, and that some of these actually stayed for nearly 200 nights in this place that we have provided. Three hundred and fifty stayed for one night, 300 for two nights, 147 for three nights, and so you go on increasing until you come to get 20 and 21 staying 108 nights. I find that we had last year 150 recurring visitors, that is persons who were with us the year before and who turned up again so that you have a regular army of these people. Now, our difficulty is that we are obliged to take them in every night as we do not wish to have any one in Toronto begging for lodgings. We compel them to be bathed in hot water every night. This they do not like. They are required to cut a quarter cord of wood each in the morning; but last winter as the weather was mild, wood enough to give this employment to every one could not be supplied." Mr. Baldwin also said "we could not send them to Toronto gaol because that would be simply making criminals of them, and once broken in to going there, these people would find the gaol ten times more comfortable than our quarters. If you give men a good time in gaol, you are, with the loafing system now going on, doing them a great deal of harm." A great many of these men are honest and industrious and sincerely desirous of getting work to do, but many, including those who spend so many nights in the House of Industry, and those who return year after year, are, he thinks, constitutionally lazy and desire only to lead an idle life. Some means of compelling them to work without subjecting them to the degradation of being sent to gaol, he thought, should be provided. A workhouse or a house of correction or refuge, some institution differing from the gaol, and away from it, in which various mechanical and other employments could be carried on should be erected in any suitable position near Toronto. "To keep them in comfortable quarters and allow them to live in idleness is not the way to get rid of them." Mr. Baldwin did not think that in general drunkenness has much to do with the position of the vagrants, although it is quite probable that some of the persons committed to gaol as drunk and disorderly belong to that class, and attempts have been made to introduce liquor in the House of Industry. Hard work and strict discipline he regards as the best means of getting rid of the professional vagrant.

Mr. Goldwin Smith said—I think that the gaol should under no circumstances be used as an almshouse or place of refuge. It ought to be used as a penal institution. My recommendation is, that the House of Industry should be simply a refuge for the old feeble and disabled. What is termed a casual ward should be turned into a House of Correction or some institution of that kind and

worked by the city on strict principles for that class." Of the proposal to establish poor houses, he said "I cannot imagine anybody thinking that if they were properly administered they would be pauperising or demoralising in any way: but if relief were indiscriminately given, that would be pauperising decidedly.

Hon. G. W. Allan would be sorry to see the House of Industry, which as now constituted does a good work, and a House of Correction mixed up together. And he questioned how far a House of Correction would be successful in dealing with the class now relieved there.

In several counties in which there are no poor houses the gaols are used for the reception of the aged and infirm who are committed as vagrants. In some cases when the term for which a vagrant may be committed expires, the old man or woman goes out of the gaol to be recommitted as a vagrant within an hour or two. In some cases the formality of sending the poor person out of the gaol is dispensed with as an unnecessary ceremony, and the warrant is renewed or a fresh warrant is obtained whenever the gaoler applies for it. On June 30th, 1890, Sheriff Flintoff, of Sarnia, wrote to the Inspector of Prisons to inform him that a woman named Mary O'Dell, said to be 94 years of age, had been committed to the gaol at that town as a vagrant, and stating that as there was then no other woman in the gaol who could be made use of in looking after this old woman, and she was too infirm to take care of herself, he thought it his duty to employ a special attendant to wait on her and take charge of her. This is an extreme case, but there are very many aged and infirm people who have never been guilty of any crime or serious offence, who have led honest industrious lives, working hard while it was possible to work, who are thus disgraced and humiliated in their old age, branded as violators of the law and compelled to consort with criminals. And in several counties these form a very large proportion of all who are classed as vagrants.

It is not necessary to argue that these poor people should not be regarded or treated or classed as offenders, or that the cruel and barbarous practice of sending them to spend the remainder of their days in the gaols should be put an end to. The counties in which this practice has been followed should be compelled to make proper provision for their aged and infirm poor. A report of a special committee appointed by the county council of the County of Victoria, to obtain information and report as to the best means of providing for the infirm poor in that county, seems to prove beyond doubt that they can be most satisfactorily and most economically cared for in a well managed poor house. There can be no excuse for treating them as criminals.

Deducting these there still remains a large number who really are tramps to be dealt with. The evidence goes to show that these may be classified as follows:

Those who are willing to work, who go from place to place honestly looking for work and who are unable to find steady employment.

Those who are willing to work and who do work hard occasionally, but who are dissolute or improvident, indulging in what they call sprees whenever they earn a few dollars, and finding themselves without money or resources of any kind at the beginning of winter.

The professional tramps who dislike and avoid work who roam over the country in summer, working only when they can not procure food by begging or stealing, and then doing only the lightest kind of work and as little of it as possible, and who flock to Toronto and other cities, and towns in winter to take up their residence in the gaols or houses of industry, or to continue their habits of pilfering. In this class are to be found many who are drunkards and thieves, and who are capable of committing the most atrocious crimes.

Care should be taken to discriminate between these classes. The honest industrious man whom misfortune has forced to travel in quest of employment should be treated charitably and kindly. He should be assisted in his efforts to find employment, and nothing should be done that would tend to degrade him, or to destroy such self-respect as he may be able to retain when compelled to seek relief.

The reckless and improvident should be required to give full value in work for the shelter and food they receive in gaols or other institutions. There does not seem to be much reason to fear that men who year after year waste their earnings in debauchery would be degraded by being sent to gaol or to a house of correction, where they would be kept under strict discipline and compelled to do a full day's work every day.

Professional vagrants should be treated with more severity. If any of them are known to be merely worthless fellows addicted to drink, they may be sent to the Industrial Inebriate Reformatory for terms of not less than six months. But those who will not work, who prefer to take up their winter quarters year after year in the gaols or in the House of Industry, should if they will not settle down to some regular steady employment, be treated as dangerous and sent for a term of not less than six months to the Central Prison.

The honest tramps who desire to obtain employment, all the witnesses except perhaps Rev. Mr. Baldwin agree, are comparatively few. The number of the others would be reduced very rapidly if they were treated as they should be. Indeed it is in evidence that the gaols in which vagrants are required to do real work are systematically shunned by them, and that in several instances the introduction of such work has been followed by the disappearance of the vagrants.

The commissioners did not find anywhere in the United States an institution devoted especially or very largely to the care of vagrants. Workhouses and houses of correction are not refuges for the unemployed as some witnesses seemed to imagine, but penal institutions similar in many respects to the Ontario Central Prison, and imprisonment in them is regarded as a much greater punishment than imprisonment in a gaol for the same period.

The commissioners found that some gaols are also used for the confinement of imbeciles and harmless insane persons, who are not regarded as fit subjects for treatment in a lunatic asylum. Such persons should be placed in the poor house, and employed as far as possible in farm and other outdoor work. The fact that proper provision is not made for this class is another argument in favor of the compulsory establishment of poor houses.

The Common Gaols.

It is difficult to learn much of the manner in which prisons were managed in the old world. It is evident, however, that imprisonment in itself was not often regarded as a penalty and that prisons were used rather as places of detention than of punishment. The Mamertine, the most famous of the old Roman prisons still remains to prove this. Its dimensions are but 25 feet by 18, and it is but 13 feet in height. It is larger, however, than the more ancient Tullian prison over which it is built. The crimes of slaves who formed so large a portion of the population of Imperial Rome were usually punished by their masters, whose power in their regard was absolute and others were punished by death or banishment or by being sentenced to work in the galleys for life. In Saxon times criminals were tried and sentenced by the Folksmoot, and punishment was inflicted by the local authorities. Of any mode or system of imprisonment then existing little can be learned. In mediæval Europe the

stronghold of every feudal lord had its dungeon, and when the English kings began to send their lords justices to hold circuit courts for the trial of the more serious offences they were actuated quite as much by a desire to secure for themselves the fees, fines and forfeitures, which so long formed a considerable part of their revenue as by a regard for justice. Between the prisons of the sovereign and of the feudal lord there was little difference, except in size or strength. Crimes were punished promptly by death, by the putting out of the offender's eyes or the mutilation of his limbs, by branding, whipping, and the forfeiture of all or part of the offenders' goods; until a comparatively late period executions were very frequent. The English criminal code, Dickens in his American notes describes as the most sanguinary in Europe. Sir James F. Stephen quotes Blackstone to show that the English law made 160 different offences capital crimes and the number it is stated was afterwards increased. It is not to be supposed that in every case the prisoner convicted of any of these crimes was executed; but many were put to death for offences that would now be considered trivial. Crimes not capital were punished by the cutting off of the right hand by branding and scourging, and minor offences by the pillory.

For the ordinary criminal there was little thought or consideration. The condition of the gaols in England was so frightful that some Acts of Parliament were passed to correct the most glaring abuses. The Act 19 Charles II., c. 4, says, "Whereas there is not yet any sufficient provision made for the relief, and setting on work poor and needy prisoners committed to the common gaol for felony and other misdemeanours who many times perish before their trial; and the poor there living idle and unemployed become debauched and come forth instructed in the practice of thievery and lewdness: for remedy whereof be it enacted that the justices of the peace of the respective counties at any of their general sessions, or the major part of them then there assembled, if they shall find it needful to do so, may provide a stock of such materials as they find convenient for the setting poor prisoners on work." Like other permissive statutes of the same kind this seems to have had little effect. So late as 14 George III., an Act was passed which says: Whereas the malignant fever, commonly called the gaol distemper, is found to be owing to want of cleanliness and fresh air in the several gaols, the fatal consequences whereof might be prevented if the justices of the peace were duly authorized to provide such accommodation in gaols as may be necessary to answer this salutary purpose: it is enacted that the justices shall order the walls of every room to be scraped and whitewashed once every year . . . and constantly supplied with hand ventilators or otherwise: and shall order two rooms in each gaol, one for the men and one for the women, to be set apart for the sick prisoners, directing them to be removed into such rooms as soon as they shall be seized with any disorders, and kept separate from those who shall be in health, and shall order a warm and cold bath, or commodious bathing tubs, to be provided in each gaol, and direct the prisoners to be washed in them according to the condition in which they shall be at the time, before they are suffered to go out of the gaol upon any condition whatever." Ten years after, an Act was passed to provide for the classification of prisoners. This required the justices of the peace, when they built, reconstructed, enlarged or altered any gaol, to adopt such plans as "shall provide separate and distinct places of confinement and dry and airy cells in which the several prisoners of the following descriptions respectively may be confined as well by day as by night, namely: prisoners convicted of felony; prisoners committed on charge or suspicion of felony; prisoners committed for or adjudged to be guilty of misdemeanors only, and debtors. The males of each class to be separated from the females, and a separate place of confinement to be provided for such prisoners as are to be

examined as witnesses on behalf of any prosecution of any indictment for felony." This Act also made provision for infirmaries for the sick, for warm and cold baths, and for the construction or setting apart of a chapel.

These latter Acts, the passage of which was due chiefly to the earnest efforts of Howard who about that time had succeeded in directing the attention of the English public to the necessity for prison reform, and in gaining the assistance of the charitable and philanthropic in his great work did not in reality effect immediately any general improvement. His descriptions of the horrors he witnessed in the gaols, of the physicial suffering and moral degradation to which all were doomed who were imprisoned for any cause, and his passionate and persistent appeals to the justice, the humanity and the charity of the public proved in time sufficient to move Parliament to pass such Acts, but failed in the great majority of cases to move the justices in quarter sessions, and the powerful corporations of the boroughs to whom were still entrusted the care and management of the gaols. Gloucestershire, it is said, was the first to take active measures for prison reform. One of its most influential justices was an intimate friend of Howard's, and through his efforts a gaol with separate cells in tiers such as are now to be seen in all large prisons was constructed. The plan of this prison, it is said, was suggested by Howard, who had seen and admired such prisons at Rome, Milan and Ghent. The rich and powerful corporation of the City of London completely disregarded the Acts we have quoted and all other Acts passed for prison reformation.

In December, 1817, Mr. T. Fowell Buxton visited the Borough Compter, one of the prisons belonging to the city of London. He says of it, "On entrance you come to the male felons' ward and yard in which are both the tried and the untried, those in chains and those without them, boys and men, persons for petty offences and for the most atrocious felonies, for simple assault, for being disorderly, for small thefts, for issuing bad notes, for forgery and for robbery. They were employed in some kind of gaming and they said they had nothing else to do. A respectable looking man, a smith, who had never been in prison before, told me that the conversation always going on was sufficient to corrupt anybody, and that he had learned things there he had never dreamed of before.

"You next enter a yard nineteen feet square: this is the only airing place for male debtors and vagrants, female debtors, prostitutes, misdemeanants and criminals, and for their children and friends. There have been as many as thirty women, we saw thirty-eight debtors and the governor stated there may be twenty children."

On one occasion he saw all the debtors collected in a room which was their day room, bed room, kitchen and chapel. "The portion used for sleeping was twenty feet in length by nine feet six inches in width. Of the width six feet was for beds. In this space were eight straw beds with two boys in each and a piece of wood for a bolster, and in these eight beds twenty prisoners had slept the night before. One of the twenty was in such a dreadful condition that none of the others would sleep with him. In the morning the stench and heat were so oppressive that the prisoners on awaking rushed into the yard for relief without waiting to clothe themselves, and the turnkey said that the smell on the first opening of the door was enough to turn the stomach of a horse." There were two such rooms so occupied. The prisoners presented a sickly squalid appearance and Mr Buxton says he never saw a hospital or infirmary in which the patients exhibited so much ill health. At another visit he found thirteen criminals in this gaol all looking ill and some sick of fever and infectious diseases, yet all slept together. Mr Buxton continues "I feel I shall hardly be credited when I assure my readers that as yet I have not touched upon that point in this prison

which I consider the most lamentable, the proximity between the male debtors and the female prisoners. Their doors are about seven feet asunder on the same floor, these are open in the day time and the men are forbidden to go into the women's ward, but after the turnkey left us they confessed that they constantly went in and out, and that there is no punishment for doing so." The governor of this gaol in his evidence stated that he could not say that it was impossible for the men to get into the sleeping rooms of the women, and that nothing is done to prevent them if the parties consent. Mr. Buxton adds that the male debtors reside without any partition but an open space of seven feet, close by females sent there for debt, for assault, for misdemeanours and for prostitution. He says, "I will fairly declare my opinion that if invention had been racked to find out methods of corrupting female virtue, nothing more ingeniously effectual could have been discovered than the practices of the Borough Compter . . No provision of labor is appointed . . As I stood in the yard instead of hearing, as I have elsewhere heard, the sounds so grateful in a prison the rap of the hammer and the vibrations of the shuttle, our ears were assailed with loud laughter and the most fearful curses. When we entered we saw three separate parties at cards one man reading a novel and one sitting in a corner intent upon his Bible."

At Tothill-fields Mr. Buxton found in the first yard felons tried and untried, men and boys ; at the end of this was a narrow airing place for the sick in the infirmary, and beyond that the vagrants' yard separated only by open iron work, so that the patients communicated with the felons on one side and the vagrants on the other. One of the Acts of the reign of George III. forbids imprisoning persons under ground, but here many of the wards in which the prisoners slept were sunk below the level of the ground and that was below high water mark. The cells were damp and cold, many prisoners crowded into a cell to keep themselves warm, and the jailor said that having occasion to open the door of one of these cells in the night the effluvium was intolerable. Straw and a blanket for two men was the allowance of bedding. Several of the prisoners suffered from acute rheumatism.

The Borough gaol was a wooden structure, the windows of which opened on a street. Conversation could be carried on from the street and articles not too bulky passed in. The prisoners were thus enabled frequently to become drunk. The women slept in a large room separated from the room in which the men slept only by a very open lattice work, and the men received light and air only through this lattice.

In Guildford gaol the prisoners,who sometimes numbered a hundred, had one day room 9 feet 10 inches by 9 feet 6 inches and 8 feet 3 inches high, but if a prisoner preferred he may be shut up all day in his sleeping cell. The bedding was straw with a blanket and rug for two persons. All who were confined for felony whether tried and convicted or untried were loaded with heavy irons. Half the prisoners were without shirts or shoes or stockings and suffered much from the cold. There was no infirmary, no chapel, no privy, no baths, such as the Act of Parliament seemed to provide for, and the prisoners were all dirty in the extreme. There was no classification. A man charged with murder, several convicted of housebreaking and for bastardy and some deserters occupied one cell. Amongst those committed to this gaol were vagrants, poachers, persons charged with assaults, a man for getting drunk in a workhouse and refractory farm servants, and these herded day and night with most hardened criminals.

Cells had been introduced in some gaols, but they were always crowded. In Horsemonger Lane house of correction the cells were about six feet by eight. Three men were usually placed in each of these at night, and sometimes as many

as five. There was but one bedstead, 22 inches wide. A lawyer committed to Newgate on a charge of fraud was forced to sleep for weeks with a highwayman on one side—in the same bed—and a murderer on the other. Strong drink was freely introduced, and the lawyer found it necessary to adopt the manners and habits of his associates to avoid danger to his life.

All the prisons were not so bad as these in Mr. Buxton's time. He describes the Bury gaol and house of correction as the best constructed of any he had seen in England. Classification was carried "to almost its greatest limit, employment was provided for the prisoners and cleanliness prevailed everywhere. It had 84 separate sleeping cells and when it was necessary to put more than one in a cell the governor always placed three together, having had reason to apprehend that evil arises if two sleep in the same cell." This gaol, Mr. Buxton says, "reflected the highest credit on the magistrates of the district."

The exposures made by Mr. Buxton, who was rewarded with a baronetcy for the services he rendered—and of others who co-operated with him revived the public interest in prison reform and led to important changes. Not only were Acts of Parliament passed as a result of the enquiries made by the Duke of Richmond's Parliamentary Committee, but the government assumed the responsibility of having them enforced through inspectors and other officers appointed for the purpose. In course of time all that was absolutely prejudicial to the health and morals of the prisoners, all that was utterly disgraceful disappeared. The horrors described by Mr. Buxton scarcely existed even in the public recollection, but the county and borough gaols did not become what they now are until 1877, when the government, partly as a measure of relief to the landed interest then complaining loudly of its special burdens, undertook the maintenance of all those gaols and at the same time assumed the absolute control of them, leaving to the boards of sessions and borough councils only power to appoint or nominate visitors who possess little or no power beyond that of making inspections and sending reports to the sessions or to the Secretary of State when they choose. The gaols of Great Britain are now in many respects models for the world. The criminal code, too, once properly described as the most sanguinary in Europe, has undergone a complete change and has become one of the most clement and reasonable. This great change was largely the work of Sir Samuel Romilly, whose name will ever be associated with it; but several great statesmen helped to completion the work begun by him.

One of the effects of the change was the reduction in the number of commitments to the gaols. There is probably no room to doubt that the more strict discipline and the general adoption of solitary confinement in the gaols, has had a wholesome deterrent effect on those addicted to drunkenness, brawling and other vicious habits, causing them not merely to pay fines when convicted rather than go to gaol, but in many cases causing them to act with greater circumspection. The reduction in the number of commitments has led to a reduction in the number of gaols. In 1877 there were 118 prisons in England, 56 in Scotland and 42 county prisons, and 100 bridewells in Ireland. In 1880 the number was reduced to 69 in England and 40 in Scotland. In Ireland the 42 county prisons remained, but nearly all the bridewells were closed. In 1889 there were only 59 local prisons in England and Wales, only 16 local prisons and 28 police cells so called in Scotland and in Ireland only 19 district prisons, 6 minor prisons and 18 bridewells.

Dr. E. C. Wines, in his work published in 1880, says, "I have generally visited and inspected many of the convict and other prisons in England. The prison buildings are substantial and pleasing structures, generally on the radiating plan with lofty towers attached for purposes of ventilation. The grounds

are handsomely laid out with pastures and gravelled walks, and ornamented with flowers, vines, and shrubbery. The cells are large, airy and well lighted, each having a water-closet, gas burner and other appliances for convenience and comfort. The chapels (I speak generally), are of ample dimensions, with groined roof, and well suited to produce a solemn and soothing effect upon the mind. An extraordinary cleanliness reigns everywhere. One is particularly struck with the brightness of the brass fittings and the polish of the metal staircases. The hospital accommodations are excellent. The ventilation, drainage and other sanitary arrangements are the best that science can supply. The discipline is exact and rigidly enforced. There is a certain charm in the symmetry, harmony and clock-like regularity of the whole which takes away, at least, from the first view the awe and horror anticipated by the inexperienced observer.

"But there is unhappily a *per contra*. While the material aspect is perfect, and the material efficiency very high, the moral action appeared to me rather feeble—not in all, but more often than otherwise. The shell seemed to be preferred to the kernel, the form to the substance, and reformatory discipline to be made of less account than punitory inflictions. Too little account is made of industrial work; too much of wasted labour—crank, shot drill, treadmill and the like. The will-power of the prisoners is not adequately developed. Seventy years experience of men; seventy years' work amongst men have impressed one idea upon my mind; it is, that nothing can be done with men except through the will, and the will can be reached only through the intelligence and the heart. For this, religion in all its freedom and power is necessary; and in the case of prisoners progressive classification whereby the motives which control men in free society; and urge them to industry and virtue may act steadily and effectively upon them, determining to good the choices of their will and the actions of their life."

Dr. Wines evidently wrote thus of the prisoners known in England as convicts, and of the long time prisoners in the local prisons, who are few compared to those, who undergo sentences for terms varying from two or three days to one year.

Various industries have been introduced in the English local prisons. Dr. Wines states that sack making, wood cutting, jet cutting, saddlery, wool carding, marble grinding, cooperage, brush making, gardening, making ships fenders, spectacle case making, printing, book-binding, flax dressing, gum making, rope making, cheap net manufacture, whiting making, clog making, mat making, stone breaking, bricklaying, masonry and painting were carried on when he visited the gaols. The earnings then varied very greatly, the highest being $110 per head, at Davenport. In some cases the earnings were very small, but the new system could scarcely have been fully organized then.

The condition of the Scotch gaols was quite as bad as that of the English The inspector to whom the work of reformation was entrusted, Mr. Frederick Hill, was fortunately a man of enlightened views, an intelligent and zealous reformer, and we are told that in ten years under, his energetic administration, a clean sweep was made of all the old prison abominations of Scotland, and a new and improved system organized and put in working order.

Of the effect of the new system in Ireland, the annual report of the Howard Association said, after some two years experience, "The new prison Act is a reality for Great Britain; but as to Ireland, its results are very disappointing. Yet, there it was specially needed. There are besides bridewells, 38 county and borough gaols in Ireland. Altogether they contain under three thousand prisoners—that is to say, fewer than the two English gaols of Coldbathfields and Wakefield. In some Irish

prisons there are almost as many officers as prisoners. The great anomaly of these thirty-eight gaols for so few inmates has been perpetuated by some influential persons insisting upon a clause in the Act that every county should still have at least, one gaol. . . About half the Welsh gaols have been or will be suppressed by the new Act." "In Ireland the commitments for twenty-four hours are very numerous. Most of these cases are for drunkenness, and the only effect is to provide a free night's lodging on a good bed for a man that had none of his own." Even this practice does not fill the gaols. The same writer says, "It is, however, a very striking fact, that while on the first of January, 1851, the county and borough gaols of Ireland contained ten thousand prisoners on the first of January, 1870, their population had fallen to two thousand. This is attributed to the improved condition of the people, and the increased demand for labor. My own belief is that the excellent industrial and reformatory schools of the country have had some share—perhaps not an inconsiderable share in this happy diminution."

It would serve no good purpose, perhaps, to state at any length the result of enquiries into the condition of the prisons and gaols of continental Europe, before the great movement in behalf of prison reformation set in. There were a few instances in which prisons were constructed on scientific principles, and in which rational efforts were made for the reformation of the inmates. But these were exceptions, and the condition of the prisons of the great cities was in many respects as bad as that of the English prisons and in some worse.

Common Gaols of the United States.

Nowhere does the United States system of government appear to greater disadvantage than in the management of the common gaols. Sixty years ago De Tocqueville, who had seen much of the prisons of Europe, then in a very dreadful condition, pronounced the county gaols of the United States "the worst prisons he had ever seen." Dr. E. C. Wines wrote in 1880, after quoting this statement, "And there has been little marked improvement since. The system is wasteful of time, wasteful of money, *and it does not reform.* The moral atmosphere of these prisons is foul, no fouler exists anywhere. It is loaded with contagion. The contact of their inmates is close, their intercourse unrestricted, their talk abominable. The effect of such promiscuous associations is to increase the number of criminals and to develop and intensify their criminality. The lessons taught are contempt for authority, human and divine, hostility to law and its officers, the delights of vicious indulgence, the duty of revenge upon society for imaginary wrongs, the necessity of craft, of daring, of violence if need be in the commission of criminal acts, and of sullen submission to punishment, if caught, the hopelessness of all efforts at amendment, and the best methods of success in criminal undertakings. Thus this country has in its county gaols about two thousand schools of vice all supplied with expert and zealous professors. The condemnation of the system may be pronounced in a single sentence—it is an absurd attempt to cure crime, the offspring of idleness, by making idleness compulsory, and to teach virtue, the fruit of careful and painstaking moral culture by enforced association with those who scoff at virtue, duty and religion."

Mr. Wheeler, Commissioner of the Board of Corrections and Charities, of the State of Michigan, at a convention held in that state in December, 1888, said:—

"Our county gaols lie at the root of the whole matter, and I would like to have some of our good people visit our county gaols. We have statutes in this state which require that the prisoners shall be kept each one separate and by himself, and that the prisoners shall not be allowed to communicate with each

other or with anybody except in the presence of the keeper, and other statutes of that kind, none of which are observed. What do we find? People of all characters and all descriptions together in one room spending their time playing cards and telling stories. It is not possible for any child or grown person, for the first time convicted, and put in that gaol to stay there for one or three months and not to come out ten times more the child of the devil than when he went in." The Secretary of the Board of Charities and Corrections for the State of Minnesota, gives an equally shocking account of the gaols of that state. Of one, he says, "Boys are herded with adult prisoners and thoroughly schooled in crime. All female prisoners are herded together like cattle. The small cell room used for short term prisoners and petty offenders is literally a den of thieves where card playing and idleness prevail."

Improvements in gaol buildings have been introduced in several States, but in all that is essentially most important from a moral point of view there has been little change for the better. As the report of the Ohio Board of State Charities for 1890 says: "Compared with (the gaols of) twenty years ago they are doubtless much improved. They have better sanitary arrangements, they are better warmed, better aired, better cleaned, and better kept in many ways, but with very rare exceptions the fundamental evil of congregating prisoners together in common halls and thereby forcing into companionships young and old, misdemeanants and felons, remains unchanged, and the result is that the average American gaol remains substantially the type of gaol condemned by John Howard in England a hundred years ago, and which England and other enlightened nations have long since abolished." In all the official reports dealing with this subject and in all the speeches made and essays written by those interested in the work of prison reform in the United States the gaols are described as schools and nurseries of crime in which even youths and men who have not previously given evidence of immoral or vicious tendencies soon become thoroughly demoralized and corrupt and are trained to take a place in the ranks of the criminal classes. To quote what many eminent American authorities have said on this subject would be but to repeat what Dr. Wines has said. The Ohio Board, who say that "congregate gaols are compulsory schools of crime," are of opinion that the remedy for the evil is simply to enforce the absolute separation of prisoners, so that every prisoner can come and go without coming in contact or acquaintance with any other prisoner," and they have succeeded in getting 27 of the gaols in that state so constructed that such separation can be enforced. They have not been able, however, to overcome the chief difficulty in the way of reform. The county gaols are all managed and controlled by the sheriffs who are elected and who are responsible for the management to no one but the electors. All who take an interest in prison reformation agree that no thorough change for the better can be looked for until the state take control of the gaols and their management. The gaols which have a house of correction or workhouse near, to which prisoners sentenced to short terms of imprisonment can be sent with little or no expense, probably are not as bad as those in which prisoners under arrest for misdemeanours and prisoners undergoing short term sentences and prisoners awaiting trial for felony are all herded together.

Common Gaols of Ontario.

The common gaols of Ontario are in nearly every respect very unlike those which Howard described or those which Buxton visited. The appointment of the Board of Prison Inspectors in 1859 with large special powers led to great improvements in gaol structures. The work of improvement was continued

actively after Confederation under the government of the province until the gaols of Ontario, with scarcely an exception were so rebuilt or remodelled that the requirements of the Inspection Act were fully carried out. Now the gaols with very few exceptions are well built, well ventilated and well drained and the sunlight is admitted freely into corrider and cell. Unless when a gaol is abnormally crowded there is a cell for each prisoner and the yards in which the prisoners work or take air are sufficiently spacious. That which is the chief obstacle to the reformation of the gaol system of the United States does not exist in this Province. The municipalities construct the buildings, keep them in repair and provide for the maintenance and care of the prisoners, but the Government appoints the sheriffs and the sheriffs appoint the gaolers, subject to the approval of the government, and appoint the turnkeys. The appointment of a gaoler is practically during good behaviour. Government inspectors are clothed with authority not only to determine how the prisoner shall be fed and treated and to recommend such changes and improvements in the buildings as they think desirable, but when necessary to compel the municipalities by process of law to give effect to their recommendations. Yet the moral evils of which the prison reformers of the United States complain, exist to a serious extent in some of the gaols of Ontario, in which prisoners of all ages and all degrees of guilt are allowed to mix together in the corridors and yards; in others classification is attempted, but is imperfect, and there is the same want of employment in all. In very many of the gaols the only work the prisoners are required to do in addition to what may perhaps be called the housework, is the cutting, splitting and piling of the fire wood used in the gaol, and the shovelling of snow from the walks and paths.

The following digest of the evidence of the Governors of the Gaols will be found to afford full information respecting their condition and management.

Barrie.—Alexander Lang was appointed gaoler in 1852. The gaol has four corridors for males, two downstairs and two up, and two for women, one downstairs and one above. The total number of prisoners during the year, including those in gaol at the beginning of the year, was 241, of whom 84 were married. The greatest number on one day was 39; the smallest was 10. The sentenced prisoners he keeps in the lower corridors, the untried in the upper. He attempts no sub-classification. He puts boys with the men, believing this to be best. Some bad boys are worse to deal with than the men and would do more to corrupt other boys, and they are kept in subjection by the men. The majority of the prisoners are in through drink and when sober they are pretty well conducted. Nineteen boys were committed during the year for petty larceny, stealing rides on the cars and other juvenile offences. All he thought were committed for the first time. He thought it an advantage to lunatic prisoners to mix them with the others and he did so. Forty-six were committed as vagrants. Two of these are poor old people. Of all committed as vagrants one-fourth should be in a poor house. There is no poor house in the county. Of the 20 lunaties committed some could be properly cared for in a poor house. Twelve prisoners were sent to the Central Prison. He had eight men and two women under sentence on September 30th. Several of these were old and unable to work. There is sufficient work for all who are fit for labour. They cut about 150 cords of wood in the year, do the domestic work, clean the court house and lay out the grounds and keep them in order. They have no stone-breaking; it was not satisfactory.

Belleville.—In this gaol much seems to be done towards a proper classification of the prisoners. Louis A. Appleby, the gaoler, stated that it has six separate corridors on the men's side and two on the women's side, but at times part of one of the men's corridors is used for women. It has 32 cells. The

number of cells in a corridor varies from six to two. It has three airing yards, two for men and one for women, and a working yard. Lunatics are placed in one corridor, but sometimes other prisoners are placed with the more violent to prevent their doing harm. Those under the age of 16 are kept entirely separate from the adu ts. They don't even see the other prisoners. The rooms are so situated that this can be done. There were only 7 during the year. If the number were larger the separation could not be so complete. The means of classification, so far as juveniles are concerned, are perfect. The women are divided into three classes. A number can, when necessary, be placed at night in what is called the wash-house. The largest number in the gaol on any one day of 1889 was 32 males and two females. On September 30th he had 27 men and two women. Four of the males were waiting for trial; 16 males and one female were under sentence; five were male lunatics and one was a boy under 16. It was hard to tell then how he had classified them, but none were mixed up with those awaiting trial, and civil prisoners were kept apart from the criminal, unless when they found one amongst them whom they knew to be an old offender and he was put with the criminals. Some of the criminals, as already stated, were employed to take care of dangerous lunatics. The gaoler considers "the classification very good" He thinks it is first-class considering everything. But it was quite different a few years ago. Then boys and lunatics and prisoners of all kinds were huddled together. The total number in the gaol during the previous year was 225. Of these 41 were committed as vagrants and 34 males for having been drunk and disorderly. Some of these were committed several times during the year. One spent a great part of the previous three or four years in the gaol. Seventeen were committed as lunatics. All these were not sent to an asylum. Twelve prisoners were transferred to the Central Prison during the year. None were sent to the Mercer Reformatory. The only labour done besides the domestic work is the cutting of wood and keeping the county buildings in order. The gaol is not large enough to introduce any regular system of labour. Of the prisoners left in the gaol not more than three on the average are fit to do an ordinary day's work. The magistrate does not seem to like sentencing to hard labour. His objection to it the gaoler did not understand. He has had as many as 16 prisoners at a time not one of whom was able to work. At least a third of these should have been sent to a poor house. He is not much troubled with tramps. When one is sent to the gaol he gets only bread and water and he generally goes away after his night's rest. Of those committed as vagrants the greater number are deserving poor persons who have been unfortunate and who are incapacitated for work by ill health or old age.

Berlin.—Jonathan Cook, appointed gaoler in 1888, stated that the gaol has five corridors and 25 cells, including the punishment cells. The wards or corridors are approached from two halls. It has a working yard, a yard for females, a kitchen yard and wood yard. The cooking is done by males, who alone have access to the kitchen yard. There is complete separation of the sexes. He follows the rules respecting classification. One of the wards is for women, the other four for men. Sentenced prisoners are kept separate from those awaiting trial, boys from adults, and civil from criminal prisoners. There is difficulty in dealing with boys. He sometimes prefers to put boys with persons able to take care of them, with some who are not criminals. Eight women were committed during the year, but he had only one at a time, except that on one occasion a second was committed who was insane and she was confined in a cell by herself. Five boys and a girl were committed. Two of the boys were in for larceny and were fined. The number of prisoners during the year, including those who remained from the previous year, was 130. In 1887 the number was 109 and in 1888 it

was 112. Twenty commitments were for drunkenness and 24 were vagrants. Very few of the prisoners are from Berlin. The population is sometimes swelled by prisoners from Galt. The town has a lock-up and several of the prisoners sent to it never reach the gaol. The vagrants are English, Irish and Scotch, with some from the other side. Few are natives of Canada. They are not willing to work Some of them have been in the Central Prison. He gives them all the work that he has—cutting wood, cleaning the gaol, shovelling and the like. He has no stone-breaking. Some of the vagrants are men he arrested when constable, eight, ten or twelve years ago. They go round from gaol to gaol. None of the prisoners sent to him are proper subjects for a poor house. There is a poor house in the county, in which there are from 80 to 100 inmates. Of all committed to the gaol during the year 57 were Canadians charged with drunkenness, disorderly conduct, larceny and lunacy. Canadians are generally in for felonies, misdemeanors, serious larcenies and things of that sort, and English, Irish and Scotch for vagrancy. Very few are sent to gaol from the farming community.

Brantford—Alfred Kitchen appointed gaoler in 1885 was previously a farmer. He has one turnkey. The gaol has four corridors with eight doubleand 16 single cells. Eight of the single cells are used for females. Prisoners confined on serious charges, whether sentenced or not, those waiting to be sent to the Central Prison and the insane are placed up stairs generally. The boys cannot be kept separate from the adults but they are not put with men known to be bad. There are two yards, one a working yard, the other used by the men employed in the kitchen, There is no yard for females. The total number of prisoners during the previous year was 405, the highest number on any one day was 31. The number of those imprisoned for drunkenness 218. These were first taken to a lock-up and only sent to gaol when convicted. A few were wealthy farmers who having spent all their money could not pay their fines until they got money from home Few of them are really bad. Of the vagrants the number was 42. Some of these belonged to the district. Some are from the other side. There seems to be a number of them who work from Brantford to Hamilton and want to rest at Brantford. These go before a magistrate and ask him to commit them; sometimes they commit petty offences in order to be imprisoned. Eighteen prisoners were sent to the Central Prison during the year, some of those had short sentences—60 days or less. Sixteen boys were sent to the gaol during the year. They were charged with trespass, petty larcenies, stealing candles and such trivial things. Only two or three of them had been committed before. Few of the boys came from the country. Two were sent to the Reformatory. The prisoners take care of the gaol, the court house and the grounds. This gives sufficient work for a great part of the year. Coal is used principally in the gaol and there is not much wood cutting. It would do the drunkards and others much good if they were compelled to break stone, but there is not much room or work of that kind and the men working for wages would object. The increase of 33 per cent in the number of commitments from 1887 to 1889 the gaoler attributed to the increase of population, the construction of water works and railways and to the increased vigilance of the police.

Brampton—Joshua Modelard, appointed gaoler in 1880, stated that during the year 1889 the number committed and remanded to this gaol was 253, of whom nine were women. Of these 197 were vagrants and the commitments for drunkenness were 28. The number for all other offences was only 28, and of these only one was convicted of felony and four of larceny. The gaol has 4 corridors and three yards. Those awaiting trial he puts in one corridor; the vagrants and lunatics he puts in the adjoining corridor. The boys are gener-

ally put by themselves, and there is but one ward for females. It had never happened that he was compelled to put women of bad character and other females together. There is no lockup in Brampton and no poor house in the county. The gaol would be large enough if he were not compelled to receive those vagrants. The mayor puts a printed form in the hands of the constable and then he signs it *and hands it to the tramp, who presents it*, and the gaoler has to admit him. He does not get an order for the discharge of the tramp. When the constable says "let him go," the gaoler lets him go. Two boys were committed for petty larceny, their first offence. One was sentenced to thirty days' imprisonment. The judge lets several who are brought before him "go altogether." Boys are kept separate. One of the worst boys he ever had in gaol—an imported boy—was sent to Penetanguishene that summer. "They make a poor-house of his gaol."

Brockville—John White, appointed gaoler in 1866, stated that this gaol has three wards—three day rooms for the males, two for the females; twelve cells for the males and nine for the females, and two yards, one for males and one for females. He never puts males in the female wards, even when there are no females in the gaol. The number of prisoners during the year 1889 was 184, of whom twenty were women. The greatest number in gaol at any one time was twenty-one, of whom one was a female. The principal day room is that for men remanded for trial. He tried to keep juveniles apart from old offenders, but could not always do so; a proper classification was impossible. Harmless lunatics were placed with vagrants and drunks. He has had boys who were worse than the old men and contaminated them. Sometimes comparatively innocent boys of from twelve to fifteen years were sent to the gaol, and these he could hardly keep separate although he tried. Sometimes he had to put girls charged with trifling offences in the same ward with women of the lowest class, although he knew that the effect must be very injurious. Of those who passed through this gaol 17 were sent to the Central Prison directly and one indirectly, six to the penitentiary and one to the Mercer reformatory: 52 were of the drunken class, some of whom are repeatedly committed. Twenty men and two women were committed as vagrants. These were all drunkards. Prisoners of this class are not so numerous as they were a few years ago. Eight were committed as lunatics. The only employment in this gaol, besides the domestic work, is cutting wood. The prisoners cut about forty cords in a year. When the removals to the penitentiary and Central Prison were made there were scarcely a sufficient number of able-bodied men to do the gaol work. On this point and on others there was a difference of opinion between the gaoler and the sheriff. Fourteen boys under sixteen years of age, were committed during the year. They were mostly charged with petty larceny. They are a great trouble.

Cayuga—John A. Murphy, who succeeded his father as gaoler in 1886, stated that this gaol has four corridors and fourteen cells. Two of the corridors have five cells each and the others have two each. There are two yards—a large working yard and a yard for women. The lower corridors are used for prisoners doing labor sentences; the corridors above of the same size for prisoners awaiting trial and for those to be removed to the Central Prison and the penitentiary. One of small corridors is used for insane prisoners and the other for females, and when either of these is not so occupied it is used for juvenile offenders. The greatest number in the gaol in one day was 19, and then an ante-room, called a trial ward for prisoners charged with trivial offences, was used. No classification of females can be made. He rarely has a young girl in custody. He has no place or room or corridor especially for boys. All the male prisoners are taken into one yard

for exercise under supervision of a turnkey. The whole number of prisoners committed during the previous year was 170. Three were sent to the Central Prison; none to the Mercer reformatory. He had 32 tramps who were nomads; very few belonged to the county. They were principally young men of 25 to 40 years of age. They could work as a rule but would not. They generally go to the gaol in the winter months. He has 100 cords of wood cut and a great deal of snow to shovel and he makes them earn their bread in that way. The authorities were then providing stone to be broken. He had had none before. There were eighteen commitments for drunkenness. Some chronics were committed three or four times. They were generally sentenced to imprisonment for terms of ten days to two months. Several of the persons now sent to the gaol are incapable of taking care of themselves and should be cared for in a poor house.

Chatham.—Robert Mercer, who was appointed in 1872, stated that in the Chatham gaol there are three distinct corridors, two of which are used for males, and one for females, and 26 cells. When examined he had 20 male and 6 female prisoners in custody. This was the largest number he had on any one day during the year. The number on September 30th, the close of the year, was 15 males and three females. The total number for the year was 108. Eight were boys and one a girl under sixteen. Three of the boys were hardened cases. Except the separation of males and females he can make no classification, unless the number of prisoners is small. When he can he keeps boys separate from the men; but when the gaol is nearly full he must put boys with the men. The tried and convicted he keeps separate from the untried when exceptional circumstances arise; but usually they cannot be very well kept apart. Asked if the Commissioners may assume that he has no means of classification, he replied "We have none whatever I may say. If I have no females I can sometimes put boys into the female wards." Generally the boys mix with the men, and the tried prisoners and lunatics usually mix together. There are three yards attached to the gaol, two of these are for men, one being used as a yard to work in, and the third is a yard for females. In these also the prisoners come together. Representations on this subject have been made to the county council, but without effect. This intermixture has a contaminating effect. Old hardened criminals do much to lead boys and young men to evil, but more through bravado he thinks than through malice. The prison is exceedingly defective in means of classification, especially in the classification of females. Nineteen of the worst prisoners were removed to the Central Prison during the year. If they had been allowed to remain the condition of the gaol would have been much worse. Those who have been at the Central Prison regard it with terror, and would rather do almost anything than go back. Two men and one woman were committed as vagrants during the year, and sixty-one as drunkards, of whom 55 were sentenced, Six were women. Some were habitual drunkards, and were frequently committed. Probably about a third had families upon whom they were a charge. Sending them to gaol had no deterrent effect whatever. Of those committed during the year two or three were poverty stricken old people, who should not have been sent to gaol. An old woman, 82 years of age, was committed as a lunatic, and an old man, 92 years of age, was sent in whom it was necessary to feed with a spoon for a long time, and to lift in and out of bed. Both died. The total number of vagrants committed during the year was 14 males and 2 females. This gaol has no library, and no means of religious instruction, except that Rev. Mr. Wier, a Baptist, and some of his congregation go to the gaol on Sunday mornings to talk with the prisoners. When a prisoner asks for a clergyman he is sent for. No work is done in this gaol, except the sawing of a little wood. It would be necessary to haul stone a long distance. The Inspector recommended changes which would afford better

opportunities for classification, but did not insist upon them, and nothing has been done. The majority of the prisoners were physically fit for work.

Cobourg.—Abraham B. Culver, appointed gaoler in 1875, stated that the gaol stands two miles from the market place. This he does not regard as an advantage It has five wards and twenty-four cells and three yards; 133 prisoners passed through the gaol in 1889, and twenty-eight was the largest number on any one day. When he has more prisoners than cells he doubles up in the cells. He classifies the prisoners as best he can, but he has not the accommodation to classify them properly. He endeavours to put vagrants and those under sentence for minor offences together. Then he classifies those waiting for trial, those waiting for removal, and others, as well as he can. He keeps boys apart from the adults, generally placing them in one of the corridors for females which is seldom occupied by females. Twenty-eight were committed for drunkenness and thirty-four as vagrants. The vagrants are generally foreigners. Some are infirm and old people. There were then two of that class in the gaol. It is not a proper place for them. There is no poor house in the county. Those charged with drunkenness are generally persons who are in and out of gaol continually, and who cannot be relied upon to do any work. The greatest number come from Port Hope. Some are imprisoned for six months on this charge. Ten were sent to the Central Prison, of whom several were drunkards and felons; thirteen were committed as lunatics who he thought were all fit subjects for the asylum. For want of accommodation at the asylum, several remained a long time in the gaol. In Northumberland and Durham the municipalities are supposed to look after their own poor but as a matter of fact, some don't do so. He cannot classify the prisoners properly. He could if he had more corridors. He always keeps females of loose character separate. He does not think it would be of any use to attempt to establish a labour system in the county gaol. Those who are able to work are generally removed to the Central Prison. He has only a few cords of wood to cut and no other employment for the prisoners except the cooking, cleaning, and other domestic work. Few of these left in the gaol are fit to do much work. A number of prisoners have died in the gaol; generally they were paupers committed as vagrants. He had one there a cripple whose head was injured by a fall and who has not been right since. He had been committed twenty-two times, sometimes as a vagrant, sometimes as a drunkard. Another was sent from Peterboro' to Cobourg and back several times and at last died in Cobourg gaol.

Cornwall.—This gaol, of which Donald Macdonald is governor, serves for the counties of Stormont, Dundas and Glengarry. It has three wards, two corridors, twelve cells for males and five for females, and three yards, two for airing and one for wood. The corridor generally used for women is sometimes used for men if there are no women in gaol and the number of men is larger than usual. During the previous year ninety-three prisoners passed through the gaol; six were women, and two boys under 16 years of age. The greatest number in the gaol at any one time was twelve. These could not be classified. Two were women and occupied one ward. It was necessary to put all the others in two wards. Some were lunatics, some were under sentence, and some were awaiting trial Five of these were sent to the Central Prison. Proper classification is impossible when there are so many in the gaol and is scarcely attempted, although some care is taken to separate the convicted from the untried. A number of homeless persons are sent to this gaol who should be sent to a poor house. The only labor is that of cutting wood. Sometimes those sent in for drunkenness are not fit to do much for a fortnight or so and others are sent in as tramps who cannot work much. Twenty-nine were committed as

drunk and disorderly. Very few of these were residents of the town. Two boys were committed and ten lunatics. For ten years the lunatics committed averaged sixteen a year. Several of these were regarded as not being fit subjects for a lunatic asylum.

Goderich.—William Dickson was appointed turnkey of this gaol in 1864, and gaoler in 1877. There are but four wards in this gaol; three are used for men and one for women. The number of prisoners during the year was 87, including 13 carried over from the previous year. He would require six more corridors and as many yards to carry out the classification required by rule 50. He does not succeed in classifying the prisoners: the chances are that for seven months of the year he never troubles his head about it, as it is impossible to make any classification. He had only two boys during the year, they were arrested for the same offence. It was necessary to put them with the men. Thirty-two of the prisoners were vagrants. Hard work and poor fare he thought the proper treatment for them. Seven persons were sent to gaol during the year who should have been sent to a poor-house, old people unfit to work, who had committed no offence. His observation satisfied him that the indiscriminate herding of prisoners has a very bad effect, especially upon the young.

Guelph.—George Mercer was appointed gaoler 32 years ago. The gaol is old fashioned. From the centre which is octagonal the cells radiate outward. The circle is broken by the gaoler's residence which is attached to the gaol by a narrow passage. There are four corridors in the new gaol. In each of the lower tiers there are eight cells and on each of the upper six cells. In the old gaol are two wings fitted up for women. In the lower part there are three cells, but this part is chiefly used as a wash-house. Some of the cells in the upper part of this are used as an hospital. Altogether there are eight corridors. Those in the new gaol are used exclusively for males and there are two corridors one above and one below for women. There is a main yard and a smaller yard opening from it, respectively used for males and females. Including those left over from the year previous there were 97 prisoners in the gaol during the year 1889. There were 87 commitments during the year. In 1888 the number was 130. He could not account for the falling off. Ten were committed for drunkenness in 1889 and eleven as vagrants. Of those called vagrants some were homeless old people. One has been in a great many years. He is re-committed time after time. At the expiration of the term of each sentence he is sent out on the street and immediately arrested again. There is a poor house in the county but no poor persons are sent to it from the city. Eight were committed for selling liquor without a license, sixteen for larceny, one for perjury, one for rape and three for other offences. Eighteen women were committed during the year. When necessary he classifies the women. Six were committed as lunatics. Some of these were mild and harmless who should not be sent to an asylum. He has very few civil prisoners. When he has any he does not attempt to separate them from the criminals. He keep boys separate from adults. Of the boys committed last year two were sent to the Reformatory and the third who was the ringleader was taken home by his father. Six prisoners were sent the Central Prison. In former years he has had 15 or 16 prisoners of that class and others awaiting trial. The classification is not such as he would wish, and those on the upper story of one wing can communicate with those in another wing as "the windows correspond." He has not paid much attention to classification.

Hamilton.—James Ogilvie, appointed gaoler in 1885, stated that in this gaol there are six distinct corridors and 60 cells, besides the women's hospital cells. There are twelve cells on one lower corridor, eleven on the other, seven on one of the other corridors for men and eight on another, and ten or

eleven on each of the women's corridors. In the basement are four dark or punishment cells. There are three yards for airing and exercise and a working yard. One corridor is used for male prisoners charged with first or second offences: another for prisoners who have been confined three times or more; another for drunks and vagrants—old men, homeless and destitute, who have got into trouble; another is reserved for boys under 16 exclusively. There are only two wards for women. The hardened cases are put in one and the other is used for young offenders. All the male prisoners go into one yard under supervision of a turnkey. No airing is done, irrespective of work. The doctor has never ordered that any of the yards be used for that purpose. The corridors are 95 feet long and are roomy and all the windows can open. All the prisoners under sentence of hard labour who are able to work are taken to the working yard. Boys over 16 go with the rest but boys under 16 are kept separate; but if a boy is known to be very bad he is not placed with other boys. He would be placed with the men who are not hardened criminals. Boys do not remain long in gaol. The prisoners while in the yards are not allowed to use boisterous or improper language, or misbehave in anyway. The turnkey is always near. All the prisoners take their meals together, but they are not allowed to speak to one another. All the women associate while at work, but the matron is with them and girls under 16 are under her special care if they are put to work. There is not a separate corridor for such girls. On further examination it appeared that the classification is based chiefly upon the number of committals, but that when a prisoner is known to be of bad character he is placed with the old offenders. The largest number of prisoners in the gaol on one day of the year was 55. The smallest number was 24. He had one girl under 16 and three boys in custody on the day he gave evidence, but that was exceptional. On September 30th he had 20 men, five women, and one boy under 16 in custody. Nine of the men were awaiting trial. Eleven men and three women were under sentence. One man and two women were insane. He had no civil prisoners on that day. If he had had a debtor he would have placed him with the boys. The insane women who are harmless are kept on the same side with the women not considered hardened. He could not separate those awaiting trial from the convicted without mixing the young with hardened offenders. A man talking in his cell, even though he does not speak loudly, can be heard by the man occupying the last cell at the other side, so that the mixture of prisoners in a corridor, even if all were confined in their cells, would not be a perfect classification. The men in the corridors mix together when they go out of their cells.

Sixty-four prisoners were removed from this gaol to the Central Prison during the year; 17 women to the Mercer reformatory; one girl to the refuge and eight boys to the reformatory. The number of tramps and vagrants was 122; of persons of unsound mind, 21. The total number of commitments was 925. Of this total 535 were recommittals. The total number of persons committed he thought must have been 600. Quite a number are sent to this gaol who are physically defective or otherwise unfit to work and who should be cared for in a poor house. They are generally committed for periods of 30 days. Some provision is made for the poor belonging to the county. Of those sent to the gaol, many come from the United States and are mere vagrants.

The male prisoners are employed in cutting wood and breaking stone, and in the usual work of cleaning the gaol. The principal industry is breaking stone. The prisoners also cultivate a garden of about an acre. The women do the washing, mending and so on. About 10 per cent. usually were unfit to work.

Kingston.—C. H. Corbett, appointed gaoler in 1865, stated that in this gaol there are nine corridors, six for males and three for females, and it has three yards. He uses three wards on the north side of the gaol for criminals of a more desperate character, because the windows are more secure. These are prisoners waiting trial, and waiting transfer to the penitentiary. He tries to keep juveniles entirely separate from adults; but when the gaol is crowded this is impossible.

Perfect classification he regarded as almost impossible. Any association of criminals must have a bad effect. If boys are placed in a separate corridor, one will corrupt the others. A perfect classification with the present construction of the gaol would be quite impossible. The total number of persons sent to this gaol during the year was 254. Of these eight were sent to the Central Prison and two the Mercer reformatory. Six lads committed during the year were all sent to the Penetanguishene reformatory; many of the prisoners are between the ages of 16 and 25. 139 were committed as drunk and disorderly, and twenty-seven as vagrants. The number of first offenders was 175; the number committed a second time was thirty-two, and for a third time four. Some of the thirty-two might have been committed a dozen times in all, but during that year they were committed but twice. That morning he locked up a man who had been in no less than twelve times. Fifty-six of the whole number were married men. A good many of those were supporters of families. The city pays $165 a year for the use of such portion of the gaol as it may need, and sends all its prisoners to it, including old people who should properly be inmates of a poor house—probably fifty of the 254. One then in gaol was a woman of weak mind with two children.

The number of prisoners in the gaol on September 30th was twenty.

Besides cutting wood, attending to the grounds and breaking stones, some are employed picking oakum. Only a few of the prisoners are unfit for continuous labor, but no industry can be carried on in a common gaol, because the sentences are all short and expire before the prisoner can be taught anything.

London.—Patrick Kelly, who has been connected with this gaol as turnkey and gaoler since 1861, stated, that the staff consists of the gaoler, three turnkeys, a night watchman and two matrons. In this gaol there are nine corridors and a debtor's ward. Three corridors are used for women. There are four yards. During the previous year 1,042 persons were committed to this gaol, the largest number he ever knew to be committed in one year. The greatest number in confinement at any one time was sixty-eight. When he had that number he could not very well classify them, and as there are but thirty-nine cells in the male wards and eleven in the female, he had to make shakedowns on the floor for some, and in other cases put two in a cell. At that time there were many hardened characters in the gaol. Sometimes he can classify the prisoners very well; but generally the gaol is so crowded as to render proper classification impossible. They do, however, generally keep those they know to be very bad separate from the others. Eight of the prisoners were sent to the Mercer reformatory, five to Penetanguishene and seven to the Kingston penitentiary. Generally, the able-bodied who are sentenced to two months' imprisonment, and sometimes persons sentenced for shorter terms are removed to the Central Prison. Several of these come back to him again. Of the 1,042, five hundred and sixty were charged with having been drunk and disorderly. Of these, several were committed more than once. Of those committed during the previous year ninety-eight had been committed twice; twenty-six, three times; twenty, four times; seven, five times; three, six times; two, seven times and one eight times. He said that

some have been committed from twenty to seventy times ; that several have been confined nearly a year and it did them no good. He then had twenty-nine habitual drunkards in the gaol. The vagrants committed during the year numbered 189. Of these, many were old people without homes or means of support who would have been more properly committed to the poorhouse. There is no law to compel them to remain in the poorhouse and they prefer the gaol. They are committed for periods of three to six months, and when discharged they generally return. Females have been sentenced to twenty-three months' imprisonment. Practically they are permanent residents, and live and die in the gaol. The number of lunatics in the gaol is usually from twenty to twenty-five. Twenty-seven boys were sent to the gaol during the year. Of these five were sent to the Penetanguishene reformatory. The work done by the prisoners is, "stone-breaking, wood-cutting, hauling wood from the court house, sawing and cutting wood for the gaol purposes, white-washing, scrubbing, cleaning the gaol, taking charge of the court house, the gaol, and the grounds." At the time he gave evidence there were only two prisoners "under sentence for labour." Except the vagrants, "who can stand any amount of idleness," prisoners prefer work to being locked up in their cells. Prisoners "do not do what is called a day's work ; they do not perform as much work as a man would do if he were paid for it." What they do cannot properly be called hard labour. The ministerial association hold religious services on Sundays, and do some good.

Lindsay.—Andrew Jackson, appointed gaoler in 1866, stated that the number committed to this gaol during the year 1889 was seventy-two, of whom ten were women, and that the greatest number on any one day was seventeen. Those committed as vagrants numbered fourteen and those as drunk and disorderly only three. Some of those committed as vagrants were drunkards. Nine were committed as insane. The prisoners were classified capitally. The gaol has six wards and twenty-four cells, on three storeys. The gaol meets all requirements ; it is heated by hot water and has all the modern conveniences. Very few are sent to the Central Prison. There are usually three or four, or five prisoners in the gaol fit to do a fair day's work. They are kept to work cutting wood, breaking stone, washing and the like. Tramps, those who come round in the winter time and are committed for a month, are put to breaking stone ; when discharged, even in the coldest weather, they are glad to go and do not return ; they are made to break stone in the winter time in a tent. They have no chance for loafing in that gaol. He had seen them glad to leave the gaol in a storm. It is a farce to keep them in gaol idle. Seven boys chiefly from the town and a girl were committed for stealing sugar, fruit and such things. There is no poor house in the county and he thinks it very objectionable that the gaol should be used as a poor house.

L'Orignal.—John D. Cameron, the gaoler, stated that this gaol has six corridors, four wards and eighteen cells. It has two floors, and on each there are six cells on one side and three on the other. It has two yards, one for the men and the other for the women. The entire number of prisoners during the year previous was thirty-six. Of these seven remained from the year before. One or two were committed as drunk and disorderly, three for contempt of court and eight as lunatics. None were committed as vagrants. One boy under the age of sixteen was committed as insane, but really because he was incorrigible. The commitments for ten years were : 19 in 1879 ; 21 in 1880 ; 19 in 1881 ; 16 in 1882 ; 23 in 1883 ; 23 in 1884 ; 28 in 1885 ; 20 in 1886 ; 22 in 1887 ; 17 in 1888 ; 29 in 1889. The day previous he had six in gaol. Three of these were insane men and one was charged with murder. One woman was accused of murder and one was committed as insane. Even with such

small numbers he sometimes found proper classification impossible. The insane would not be taken at the asylum because they are considered incurables. They are not dangerous except when they are with their relatives. One insane old lady had been thirty years insane. Only one is a proper subject for an asylum. One woman was committed for insanity because she was poor and "her people could not keep her." She was allowed to go home when it was found that she was not insane. The only labour in this gaol is stone-breaking as the wood is cut when sent to them. The corporation send in the stone. Some years as many as thirty toises are broken. No prisoner was sent from this gaol to the Central Prison or Mercer reformatory during the year, but three were sent to the penitentiary for assault with intent, last year. During the ten years two were sent to the penitentiary for felonious assault, two for burglary, four for robbery, one for murder and one for seduction. The murder was deliberate.

Milton.—William Van Allan appointed gaoler twelve years ago has been twenty-two years in the gaol. It has four separate corridors, twenty-two cells besides the dark cell, and three yards, one of which is used for stone breaking. Another yard is enclosed by a wooden fence. Including those who remained at the close of the previous year 332 prisoners passed through the gaol during the year 1889. This was greater than the usual number. In 1884 he had 140; in 1885 he had 252; in 1886, 273; in 1887, 255; and in 1888 he had 493. The great increase in 1888 was caused by the number of tramps. In 1883 the vagrants numbered only 97; last year he had 273. These were principally from Hamilton, Toronto and Brampton. They describe a circle around those towns and come back again, sometimes in about ten days. They are drunken, lazy characters. Of the total commitments 300 were for a first time. Only twenty-seven were recorded as committed for a second time and five for a third time. Asked to reconcile these returns with his statement, the gaoler said these were all tramps anyway. The only way to find out whether they had been in other gaols was by asking them the question, and no one could believe a word they say. The greatest number of prisoners on any one day last year was twenty-nine. The classification is easily made although there are but twenty-two cells. When the tramps came in he did not give them a bed but let them lie down in a corridor. He gave them bread and water at night and regular gaol rations in the morning. They remained one night only. He never tried to set them to work. They merely go in on remand from the mayor or magistrate, and they remain simply over night. There is no police station in the town at which they could take shelter. Next morning he gives them a breakfast and turns them out. Only fourteen were regularly committed. The majority of these were taken in by the police under warrant from the mayor. When a vagrant wants to be arrested he applies to the police and a policeman fills in a blank supplied by the mayor, who signs a large number at once. Then the vagrant presents himself with the document at the gaol and is admitted. The vagrants are not all Canadians. The principal part are English. He knew this by their brogue. Many of them are drunken, worthless fellows, who prefer this vagrant life to any other. They are seldom intoxicated when they go to the gaol because they "have nothing to get intoxicated with." When they leave they go to Brampton, to Georgetown and sometimes to Oakville and other places. Some of them work on railroads in summer, spend their money as fast as they earn it and are destitute in winter. They do not like to work with farmers. They say it is too hard. He was not troubled with them until work commenced on the railway. He had three in gaol the night previous. If the vagrants were set to work at breaking stones to pay for their food and lodging they would not get away from the places as

they now do when let out in the morning. The majority of them are physically fit for any kind of labour. He does not think many of them are criminals at heart. Of the other prisoners he puts those awaiting trial in a corridor by themselves. He does not attempt to classify the convicted or to keep first offenders away from old offenders. He does not get many young men, but when he does he tries to put them in a corridor by themselves, and boys when committed he tries to keep away from adult prisoners. He has one corridor for women. Very few are committed. Last year he had only eight. He separates the less guilty from those of loose character when he can.

There is no poorhouse in the county, and some of the poor are sent to the gaol. He then had one old man in. He has had four. They are generally committed for the winter six months and let out for the summer. They return in the fall. Of all the prisoners only twenty-one were charged with felonies. The work of the gaol is cutting wood, shovelling snow and keeping the place clean. When there is not enough of other work some are put on the stone pile and these have to do a reasonable day's work. Any who do not are deprived of food. Generally they work tolerably well. He sent two prisoners to the Central Prison last year but none to the Mercer reformatory. The three boys sent to the gaol during the year were children of respectable parents at Oakville. They were charged with house breaking and larceny in four different cases. Three were sentenced to a month's imprisonment, to be put in one corridor and kept two days on bread and water and afterwards on prison allowance. In one case the sentence was suspended. They have behaved well since.

Napanee.—A. Vanluven has been gaoler about nine and a half years. He stated that this gaol has four corridors and eighteen cells—two of the corridors having six cells each and the others three cells each, and it has three yards and one working yard. The entire number of prisoners during the year was forty-four; the greatest number on one day was fifteen; the lowest was two. On September 30th the number was four. Four were committed for drunkenness, seventeen as vagrants, three as insane, and five for selling liquor without license. He has had as many as three or four boys in the gaol at a time. As a rule boys are separated from the adults, but the attempts at classification have not been very successful. The civil prisoners cannot always be separated from the criminal, nor those awaiting trial from the convicted. The number of criminals that pass through the gaol is small, but there are only three corridors for men. Three boys were in the gaol during the past year. They were charged with stealing old iron and lead. One was afterwards sent to the reformatory for five years. One was kept in gaol for a week. They are all town boys that come to him. One prisoner was removed to the Central Prison. Some of the poor of the county are maintained by being sent to gaol. In some cases the council give a grant to certain families, and in some cases pay families for taking care of the poor. Some of those committed as vagrants are tramps, but most of them are old people unfit for work. A couple of acres of land is attached to the gaol, but no gardening is done. The only work is cutting wood, and there are hardly prisoners enough to cut all that is required. A good many are physically incapable of doing work.

The deputy sheriff stated that of the forty-four prisoners only seven were charged with indictable offences.

Ottawa—This gaol, of which William Kehoe was appointed gaoler in 1883, has eight corridors; one of these in the basement is used as a day hall and dining room, and another as a punishment cell. It has 96 cells and four yards. One is the gaoler's yard, one a square in which the storehouse and sheds stand, one is the coal and wood yard, and one the prisoner's working and airing yard.

During the year 548 males and 143 females, making 691 in all, were committed to this gaol. Twenty of these were boys under 16 years of age, two were girls, and 21 were lunatics. The greatest number in the goal on any one day was 48. The number on the day evidence was taken was 32 males and 11 females. The classification is not satisfactory. Young boys cannot always be kept separate from adults, or lunatics from other prisoners; or civil from criminal prisoners. Nor can young women charged with trifling offences be always separated from women of the most degraded class. Changes were undertaken for the purpose of improving the classification and were almost complete. The corridors were to be divided by strong partitions and the number would practically be almost doubled. Even this the gaoler thought would not enable him to make a perfect classification, although with a sufficient number of attendants much could be done when the corridors were divided. News is sent from one corridor to another in the most wonderful way by a system of telegraphy.

Forty-two of the prisoners were sentenced directly to the Central Prison and three others were sent. Several of the 45 came back during the year. Eight were sent to the penitentiary. Of those who remained in the gaol under sentence a number were fit for work, probably 90 per cent. Two hundred and seventy-six were committed as drunk and disorderly. They were, for the most part, occasional offenders. About one-half were committed for the first time, one-quarter twice, and the other quarter was made up of fourth, fifth and sixth time offenders. In many cases the offenders were supporters of families. Many were from 25 to 40 years of age and unmarried. A considerable number are sent to this gaol who should be sent to poor houses. These are chiefly old men. A few women are also sent. Forty-nine in all were sent to the gaol as vagrants. Many of these would not work while they could avoid it. Nearly all were drunkards. The number of youths under 16 imprisoned during the year was 22. Nearly all were charged with larceny.

When the commissioners visited this gaol they found four boys in one cell who were accused of larceny. The gaoler thought it was better to put them in one cell than to place them in separate cells and he thought no one should be punished by solitary confinement who had not yet been convicted. The commissioners also found in one corridor five or six men accused of heinous crimes who were free to seek what comfort they could find in association. The principle that the accused should be regarded as innocent until found guilty was much strained in their case. There certainly seemed no need for classification.

The labour carried on the gaoler described as "general labour," stone breaking, sawing wood, putting in coal when required, keeping the gaol clean, and in winter shovelling snow and keeping the paths clear all round the building. He did not see how they could be employed profitably at any thing else. There was sufficient work for all the prisoners.

The sheriff, Dr. Sweetland, corroborated the testimony of the gaoler. Questioned as to what would be effected by the improvements in the gaol structure he said: "Well, you could never call it (the classification) perfect I suppose; but if we got rid of the non criminal classes I think we could make it pretty fair. If we got rid of the vagrants and of the indigent incapable of earning their own living who are sent in for no crime this would enable us to make a better classification of the criminal classes."

Owen Sound.—John Miller, appointed gaoler in 1862, stated that this gaol has six corridors and thirty-two cells. The ground floor and upper storey are used for male prisoners, and the central storey for women. It has three yards, one for males, one for females, and the working yard. He thought the classification reasonably good. At any rate he classified them to the best of his ability.

He does not think it advisable always to keep lads separate. Some of them are as bad as very old offenders. He would want at least four more corridors to make the classification satisfactory. He puts vagrants and drunks together, and those under sentence for felonies and misdemeanors he puts by themselves when he can. Often he must mix those awaiting trial with the sentenced prisoners. The top flat has only fourteen cells, and this often makes the efforts at classification of doubtful effect. There are two corridors for females, and he separates the young from hardened offenders, but there is no proper classification. The insane are put with the others. Seventeen prisoners were sent to the Central Prison during the year—these were of the worst class of sentenced prisoners—and three to the Mercer Reformatory. Nineteen boys under 16 were committed for petty larceny and other offences, all except one for the first time. They came chiefly from the towns of Owen Sound, Meaford and Durham. Thirty-five males and four females were committed as vagrants, and 46 on charges of drunkenness and disorderly conduct. The majority of those committed as vagrants are homeless persons not fit for work. Fully one-half would be proper subjects for a poor house, but there is no poor house in the county. The number of insane was eleven. He had five at one time. In some cases the insanity was of a mild form, in others violent. The longest period the insane are allowed to remain in the gaol is about six months. One died in the gaol. The total number of commitments on all charges was about 200. This he thought represented about 175 persons. The work done at this gaol is of the usual kind, cleaning the gaol, cooking the food, cutting wood and the like. Breaking stone has not been carried on for some time. It would be good work if there were a sufficient number of prisoners to make it worth while, but he had not always men enough to do the other work.

Of the 175 prisoners, 105 were committed for the first time; forty-four for the second time; twenty-one for the third time; and twenty-two were committed more than three times, but not so often in the one year.

Orangeville.—Alexander Sutherland, appointed gaoler in 1881, stated that this gaol is said to have six wards, but properly speaking it has only four. On the ground floor he puts the male vagrants, drunkards, and those charged with minor offences and on the the upper floor the criminals. But sometimes this distinction cannot be observed and it even becomes necessary to put six or eight beds on the floor. At the other side he puts female vagrants and other offenders on the ground floor and the female criminals on the upper. There is a yard for males and a yard for females. The total number of prisoners in 1889 was 84. Of these 36 males and 4 females were vagrants, or drunk and disorderly. One insane person has been confined in this gaol "all the time." There was a second. He did not attempt a classification. He had no young lads in the gaol then He seldom had any. Of those described as vagrants, several were poor people, homeless and infirm. These are repeatedly recommitted. When their term expires, the papers are prepared and they are recommitted without leaving the gaol. Indeed some of them could not go out. Some have been in for nine years. One woman had spent five years in the gaol. There were usually five or six of that class. Only one or two of those committed were able and unwilling to work. There is no poor house in the county of Dufferin. The total number of recommitments was 41, but the returns did not show how many were committed more than once during the year. No women have been committed for some years and it is sometimes necessary to employ a washerwoman. Two decent young men committed as vagrants did much of the washing. The work of the gaol was the domestic work, keeping the gaol and court house clean and some gardening.

Pembroke.—James Wright, who was appointed gaoler in 1876, having previously acted as chief constable stated that this gaol has four wards and 24 cells. In each of two of the wards there are eight cells. It has two yards one called a kitchen yard and the other is an exercise and work yard. He tries to keep juvenile offenders separate from adults but cannot always do so. He could not do so at the time he gave evidence as one of the wards was occupied by lunatics, one by females and the others by prisoners under sentence and those awaiting trial. The prisoners then numbered 13. Three were boys, the oldest 14 and the youngest 4 years of age. Two of these were under sentence. Four were lunatics. One charged with an unnatural offence was awaiting trial: one was under sentence for larceny, one awaiting trial for larceny, one was imprisoned for contempt of court and three were vagrants. One sentenced for larceny, one for contempt of court and two male vagrants were in one ward; those awaiting trial in another; the insane in a third and the females in the fourth ward. A proper classification was impossible, the greatest number in the gaol on any day of the year was 18 and the smallest was 6. When the number was smallest classification was possible. The mixing together of criminals has a bad effect. He gave the instance of a boy of 14 who had become a confirmed criminal. During the previous winter he was compelled to put two young men one of the age of 19 the other of 20 who were arrested for the first time on a charge of larceny in the same ward with men one of whom was charged with murder and the others with burglary and larceny. A number are left in this gaol sentenced to three, four or five months' imprisonment who should be sent to the Central Prison. During his time six women had been sent to the Mercer reformatory and five boys to Penetanguishene. He had eight vagrants during the year, some charged with having been drunk and disorderly. The number of this class had been reduced since a gaol had been opened at Nipissing. The annual commitments had been over 100. They are down to 91 now. Nine insane people had been committed that year; four were in the gaol then: two of these are imbeciles who should be in a poor house. There was no necessity for sending these two and another to gaol. Some of the vagrants were drunkards. None of them were willing to work. There was no work to be done at the gaol when the evidence was taken. There was no wood to cut or stone to break. At one time the corporation furnished stone for the prisoners to break but they thought this too expensive although they paid nothing for the labour and they would furnish no more. The chairman of the gaol committee said they could buy broken stone for less than it would cost to cart them in and out of the gaol, and they would not bother with it. Prisoners should be kept to work and there is no other work at which they can be employed. Three boys under sixteen were sentenced to two months' imprisonment for larceny. Two boys from the rural districts were lately sentenced to two months' imprisonment for stealing meal and molasses. One of those boys was back again. Juvenile offenders he thought were on the increase but there was not as much drunkenness as in the old lumbering times. Only five were committed for drunkenness during the year. Clergymen visit this gaol only when invited and there is no religious instruction but what the gaoler himself gives.

Paupers who have committed no offence are committed to this gaol; there is no poor house and the gaoler did not know that the municipalities provide for their poor in any other way.

Perth.—James Thompson, Sheriff of the County of Lanark stated that the Perth gaol has four wards, two above and two below and two yards, one for males the other for females, besides a working yard. The cells number 18. One of the upstair wards is generally for women. There were 89 prisoners in the gaol

during the year including two boys. The greatest number on one day was 27, of whom four were women. He thought they used only two corridors with 15 cells for the men when they were so crowded. They are often crowded in winter. They cannot keep lads separated from adults, the untried from the sentenced or lunatics from others. Of the prisoners convicted during the year 33 were vagrants, two were drunk and disorderly, ten were insane and two were committed for contempt of court. Of the vagrants some were old helpless prisoners, but the majority were young and able-bodied who belonged to the county. They were arrested as persons who had no employment or means of living at the instance of friends who sought to get rid of them in that way. Some of the vagrants were foreigners. On the day before the witness gave evidence there were in the gaol seven men and two women committed as vagrants and three who were insane. This is usually the character of the prisoners. The gaol is more of the nature of a poor house than anything else. Some of the old people have been there five or six years. Frequently they are discharged when the time for which they were committed expires and they are immediately committed again. One woman and her six illegitimate children have been repeatedly committed as vagrants. They have gone in and out frequently. Two of the children were born in the gaol. Of the lunatics one certainly and perhaps a second should be cared for in a poor house. Besides the domestic work and the cutting of wood used in the gaol the men are kept at work stone breaking. Of those in the gaol at that time only two were fit for labour. Only two were committed for drunkenness. They are not committed unless they are disorderly. Three were sent to the Central Prison

W. H. Grant, the gaoler, in his evidence said: At certain seasons of the year we cannot get proper classification at all. In the winter when we have a number of vagrants it is impossible. Of the three sent to the Central Prison two were sentenced to imprisonment in the gaol and were removed to the prison. The council allow the prison officials to buy stone and sell it again when broken. The corporation of Perth sometimes buy it. Of the able-bodied vagrants he said "the fact is they spend all the money they earn in the summer and then in the winter they go to gaol where they remain in comfortable quarters until spring and don't make any attempt to find work."

Peterboro.—H. Nesbitt, the gaoler, has been connected with this gaol for twenty-two years It has four corridors and twelve single and six double cells. Two beds can be placed in each of the double cells. Three wards are for males and the fourth for females. He sometimes has thirty prisoners; seldom less than twenty. He cannot provide properly for more than four females at a time. Classification is impossible. He seldom has any boys in the gaol. When he has he puts them with old men and other prisoners not charged with serious crimes. Lunatics are put with the other prisoners. First offenders are as far as possible kept separate from the hardened criminals. From time to time quite a number have been sent to the Central Prison and the Reformatory. He understood that the sheriff had instructions to send none to the Central whose sentence was less than six months imprisonment. One hundred and twenty-seven prisoners were committed to this gaol during the year 1889. For vagrancy nineteen men and four women were committed; for drunkenness the commitments were over forty. Some of these are habitual drunkards. Such boys as are sent to gaol are generally charged with trifling offences. Some are sent to the Reformatory, others are let go on suspended sentence. Of those committed as vagrants several are poor helpless people who have committed no offence and who should be in a poor house. There are five or six of this class almost constantly in the gaol. Some go out and come back again at the end of six

months. There are a large number of others who go in for shorter periods. There is no poor house in the county. Of the insane one has been in the gaol for two years. One was tried for shooting his son and acquitted on the ground of insanity. As in other gaols there is no work besides cleaning the gaol and courthouse, keeping the grounds in order and cutting wood. The grand juries have several times recommended that stone-breaking be introduced, but the council has paid no regard to their presentments. Frequently there are prisoners in the gaol who have nothing to do.

Picton.—William A. Patterson, gaoler, appointed fourteen years ago stated that this gaol has four corridors, twenty-two cells and four yards—three for exercise and one for labour. The whole number of prisoners during the year was fifty-three, all men: the largest number on one day was six. The gaoler thinks he has sufficient means of classification so far. One corridor is generally kept for the exclusive use of prisoners awaiting trial. The gaol is sufficient for all purposes of a gaol for the county. He has not had a boy under sixteen in his custody once in five years. Of the 53 committed during the previous year, 36 were charged with having been drunk and disorderly. Three or four of these had been committed more than once. Some paid their fines after they had been in gaol a day or two. No prisoners were sent to the Central Prison during the year, and no lunatics were confined in the gaol. Many of the class now sent to this gaol would be proper subjects for a poor-house. One sent in last year died a few days after he was committed. He had no friends. He was an old resident and was found dying at the door of the Methodist church. He was dying when brought to gaol. The work in this gaol is cutting wood and keeping the place in order. That was sufficient last year. They could hardly find men to do the wood cutting.

St. Catharines.—John Hamilton appointed in 1846 is the oldest gaoler in the province. This gaol has six corridors, of which two have been divided, 40 cells and three yards. He had 150 prisoners once during the cutting of the canal, but the largest number in the year 1889, was 15. He has one turnkey aged 65. When he has only one boy he does not put him in a corridor by himself. He prefers to put him with another prisoner who is not a bad man. Women are kept separate from the men, but sentenced prisoners are not separated from those awaiting trial. He never does that. "If you have four or five bad men in for trial and put them in a corridor by themselves, you have a hard chance of keeping them there." He "mixes them up with the others for safety." He does not attempt any classification in the yards. He could classify the prisoners there, but he does not think it is worth while. The whole number of prisoners committed during the previous year was 108, of whom 21 were women. The greatest number at one time was 13. He could classify these in the eight corridors, but sometimes it would not be easy for him, and he did not try. He did not think there was any harm in mixing male prisoners. The only work done was keeping the gaol clean and cutting wood. Sometimes he found it hard to get men to cut the wood. One half the prisoners were not able to work. 13 prisoners were sent to the Central Prison during the year. None to the Mercer. Very few women are sent to this gaol. Some are sent who should be sent to the poor house. He then had a blind man in gaol who should be cared for in the poor house. Crime had diminished. When he came over to St. Catharines they had 140 prisoners. Sometimes when the gaol was nearly empty and the sentences of the remaining prisoners had nearly expired, he would ask the sheriff if he would let the rest go and the sheriff would say "Oh yes, let them go."

St. Thomas.—Nelson Moore was appointed gaoler in 1882. The staff consists of a gaoler two turnkeys a matron and gaol surgeon. The gaol has two

corridors, four wards and sixteen cells. One is a dark or punishment cell. It has a yard for males and one for females and a labour yard. In the lower right ward he generally puts the hard labour men. If he has more than can be put in that, he puts some in the ward on the left, but he puts those on the right whom he requires to do the hard work. The ward on the right upstairs he uses for debtors and prisoners committed for trial Those awaiting trial he puts in the upstairs ward on the left. The females are entirely separate and neither gaoler nor turnkey ever enters their wards unless at the request of the matron and in her presence. There are no means of classifying the female prisoners. One hundred and eighty-one persons were committed during the year, and three were in the gaol at the close of the year previous. The largest number on any one day was twenty-one. On September 30th the number was ten. It was impossible to classify the twenty-one properly, as there were only sixteen cells. He had to mix them up, but he selected as best he could those to be placed in the same cells and same corridors. He had sixteen boys during the year and he was not always able to keep boys separated from adults, although he did the best he could. For a proper classification, he would require, at least, as many more corridors. A sub-classification would often be necessary. He sometimes kept a boy all day in his office to prevent his associating with men who would corrupt him. The male prisoners mix in the yards. Sixteen prisoners were sent direct to the Central Prison and four were transferred during the year. Twenty-three were sent to the prison for drunkenness and disorderly conduct. Some of these are young and some are old; some, when sober, support their families. Forty-four were committed for larceny; these were adults and boys, but chiefly adults; fifteen who took a ride on the railroad without paying their fare were imprisoned for trespass. These are chiefly men who cannot get work or who will not work and who move from place to place. They are generally fined $3 to $5 with alternative of twenty or thirty days imprisonment. Seven boys were sent to gaol. The gaoler thought that none of them were very bad boys and that they should not have been sent to gaol at all. Although there is a poor house in the county of Elgin, old and infirm persons are sometimes sent to this gaol as vagrants. As a rule, these are men passing through; but in some cases they are men belonging to the county who are unable to support themselves. They commit no offence and the only charge made in their case is that of vagrancy. The only work done in this gaol is sawing wood, keeping the yards in order, some gardening and the house work. Men do the kitchen work. As a rule, not many men fit to do a day's work are left in the gaol. Almost every able-bodied man who "has had any length of stay" is taken to the Central Prison.

Sandwich.—J. C. Iler, Sheriff of Essex County, stated that in this gaol there are four corridors and thirty-two cells. The staff consists of a gaoler, two turnkeys and a matron. The number of prisoners committed during the previous year was 208. The greatest number in confinement at one time was twenty-nine. There can be no classification except that one of the wards and one of the two yards are assigned to women. Efforts are made to separate the young from the old, the untried from the tried, and the worst criminals from others; but with little success. The corridors assigned to men are used indiscriminately. Boys committed for the first time associate with hardened criminals. All kinds and all colors mix together. Several insane persons are sent to this gaol. As many as eight have been confined at one time and these mix with the others. The condition of the gaol as regards classification is "about as bad as it could be." With four more corridors the prisoners could be classified fairly well, although not perfectly. They had fifteen vagrants during the year. They were foreigners—transient, here to-day and there to-morrow. Some return periodically—going

from gaol to gaol. When sentenced they get twenty or thirty days, as the case may be. But there is no work for them to do except cutting wood. A few old people are sent to this gaol, who should be sent to the poorhouse. Forty-four civil prisoners were sent to this gaol during the year.

Simcoe.—Thomas W. Butler appointed gaoler in 1879 stated that this gaol has eight corridors and three cells in each, in all twenty-four cells. The corridors up stairs are used for prisoners awaiting trial, and those below for criminals under sentence. One for the males and one for the females awaiting trial, and one for insane persons—one of the lower corridors is sometimes used for boys. He divides the prisoners into four classes, male and female. He has always been able to keep boys apart from other prisoners. The insane are in separate cells, but opposite to those awaiting trial. The largest number in the gaol on one day was twelve males and one female. On September 30th he had seven males. When he had the larger number he was able to classify them; keeping boys separate from adults, and sentenced prisoners from those awaiting trial. He has been obliged on some occasions to put prisoners on remand with the sentenced prisoners, but he kept those charged with serious offences apart from those charged with minor offences. The classification is at all times imperfect because the prisoners in one ward can carry on conversation with those in any other, although he cannot see them. He had five vagrants during the year, strong healthy young men who came from the west by the Michigan Central. They did all the work he required, chiefly cutting wood, but said that in future they would strike for gaols in which wood is barred. The number has fallen off in recent years. One year he had thirty of this class. He attributes the falling off to the fact that he keeps them busy at work. The vagrants of last year seemed poverty-stricken, and said they were looking for work. Those charged with drunkenness and disorderly conduct generally belonged to the locality. There were few re-committals of that class. Four males and two females were committed as lunatics. He has one young man in the gaol committed as a lunatic who has been there five years. He is idiotic and should be sent to the poorhouse Fourteen boys were committed during the year. He did not think them very bad except in two or three instances. The two worst were sentenced for stealing rides from Buffalo on the Michigan Central. Others were charged with trivial offences, and one was a waif. Sometimes boys for "stealing rides" on the railroads are imprisoned for ten days, sometimes for two months.

Stratford.—Hugh Nichol, appointed gaoler in 1877, stated that this gaol, which is new, having been occupied only about 18 months, has six wards and 27 cells for night use and two dark cells. Two of the wards are used for women and four for men. Prisoners awaiting trial are not kept separate. Boys are kept separate from adults, but not in all cases. An effort is made to keep civil prisoners apart from criminals. Lunatics are not kept apart from other prisoners. Classification is impossible in the present structure. It has been attempted but without success. One ward is used exclusively for females when there are any in the gaol. At the time he gave evidence there were none and he had put a man who was downright insane in the female ward. There are three yards, one in which wood is cut; one for airing and exercise and one which the females use for drying and bleaching. There were 65 committments for vagrancy. Vagrants are committed for 10, 20 or 30 days, and a man may be committed five or six times in a year. One blind man had been in the gaol for six years. He had been committed ten or twelve times. When all these committals are brought down they would not, probably, mean more than 18 or 20 persons. About one-half of those committed as vagrants are fit subjects for a poor house. There is

no poor house in the county. Sixteen were committed as drunk and disorderly. Some of these were tramps and some were local men. Some are sent in, that they may have an opportunity to recover from delirium tremens. Eight were committed for trespass, six as lunatics, three for contempt of court and two for debt. Four were boys, two of whom got into a store through a skylight and stole liquor. He found boys the most difficult class to deal with and sometimes he found it best to put them with old men. One hundred and fifty prisoners in all were committed during the year. Only one was sent to the Central Prison. The work is sawing wood and levelling the gaol grounds. Generally there are scarcely prisoners enough to do the work.

Toronto.—John Green was appointed gaoler in 1872, having previously served as gaoler at Chatham for five years. During the official year 1889, including those remaining in custody at the close of the preceding year, 4,192 prisoners passed through this gaol. In 1886 the number was 3,791; in 1887 it was 4,128; in 1888 it was 3,951. There has been no great increase during the last four or five years. Last year's commitments were the most numerous since he took charge. There are now twelve separate corridors for male prisoners and seven for females. The number of corridors was increased by seven in the year previous, and the number of cells by 82. The greatest number in the gaol on any day was 239, of whom 54 were women. The smallest number was about 150. The corridors are distinguished by numbers. No. 1 is for police court prisoners on remand or prisoners under sentence put there for bathing and to be distributed afterwards. Well known characters awaiting trial are placed in No. 3. The gaoler regards wards 3 and 4 as the safest. Those charged with felonies of a less serious character, as shown by the charge sheet, he places in corridors 5 and 6. Those remanded on charge of having been drunk and disorderly are placed in No. 11. The boys he places in a side room, not in a corridor at all if he can avoid it. When they must be put in a corridor, they are put in No. 12, which is generally set apart for boys. If he knows boys to be bad he puts them in No. 10. The lunatics are placed with the drunks in No. 11, but sometimes a weak-minded old man is put amongst other old men. Convicted prisoners who are known characters are put in No. 9. Those convicted of vagrancy and minor offences are put in No. 2. This classification is followed unless when the gaol is crowded. In such case he must make other arrangements. He usually has eight distinct classes of male prisoners. When a corridor is full, prisoners of that class must be transferred to another. He also classifies the females in their seven corridors. Loose characters awaiting trial he keeps in one corridor, and women of that class who have been sentenced in another. He maintains this separation pretty fairly. He endeavors first to secure the safe-keeping of his prisoners, and next to prevent contamination. Those he does not know it is difficult to place. If he knows a woman charged with felony to be a loose character he places her with other loose characters. Girls under fifteen awaiting trial he keeps separate from other females, but not those who have been sentenced. He then had a girl under sixteen in the gaol who is one of the worst characters in the city. Such a girl he would try to place with a decent old woman who was able to take charge of her. There is very little chance of classifying women, so many of those sent to the gaol are prostitutes. The number of females in the gaol then was 68, and 50 per cent. of these at least were prostitutes. The rest he would classify as lunatics, old women, vagrants and laundresses, serving women and so on, two-thirds of whom were committed for drunkenness. Not more than five of these were charged with felony. He does not attempt a sub-classification of those who are loose characters but they are kept strictly by themselves, and care is taken by the matron that no opportunity of corrupting others is afforded to them.

There can be no perfect classification short of separate cells. No matter what care is taken in classification, there are some who will contaminate others if they are allowed to associate in the corridors. Even if he had 35 corridors instead of the 19 the classification, although it may be better, would not be perfect. He has work sufficient now to employ the prisoners at all reasonable hours, but he does not think that sufficient for their reformation as they have so many hours in which they are not working and are associated together. While they are at work a guard is with them so they cannot carry on any improper conversation. In summer time the prisoners rise at an early hour and are locked up in their cells at half past five in the afternoon. In winter they work while there is light. They can talk in an ordinary tone of voice when in the corridors This might be prevented if there were a sufficient number of guards to watch them. In the last official year there were 2,096 commitments for drunkenness, and 250 were committed as vagrants. With such of this number as were old offenders contamination would not amount to much. He would strongly recommend separate confinement for first offenders in order that they may not be contaminated. Of those committed for drunkenness, seven per cent. are chronic drunkards. They are sent to the gaol two, three, five or ten times a year and never have the money to pay their fines. About 20 per cent. more are on the way to becoming chronic drunkards. These get drunk two or three times in a year. He thought that of the men committed for drunkenness, 500, or 25 per cent were married. Several of these are supporters of families while they are sober, but are committed three, four or five times a year. Of the 163 boys and girls committed during the year, 30 per cent. were committed a second time. Sometimes men are taken from the gaol to the Central Prison who are sentenced to 20 days imprisonment. 1,238 persons were committed to the gaol for periods varying from 30 to 60 days. A prisoner is scarcely ever sent to the gaol for more than 60 days. Eighty-seven were committed as lunatics -chiefly from the city. There is now plenty of work for the prisoners. A number of them are employed on a swamp near the Don converting it into a park. This will give employment to 100 men for three years. A number are employed also in cooking and cleaning and keeping the grounds in order. There is a large proportion of the general gaol population who are physically incapable of doing much work, but not a very large number of criminals. Some are weak mentally and physically, but others physically weak are mentally strong and keen. Of those committed as vagrants many were old people, who, when they left the institutions in which they had been, did not care to go back and found their way to the gaol. Some of them might have been brought to this state by drunkenness, but they are old and feeble and homeless and have no one to take care of them. Many are of this class. Of all who were committed during the year, 2,458 males and 630 females, altogether 3,088, were first offenders, 495 were committed for a second offence; and 170 for a third offence. Asked if he thought that much harm was done by crowding prisoners of all classes in the "Black Maria," he said "I won't mention cases. It is perfectly disgusting I have seen men come down in that conveyance with absolutely no trousers whatever on, and there have been women and children there."

Walkerton.—This gaol was finished in 1866. Samuel Roother was appointed gaoler in 1867. The staff consists of gaoler, turnkey and matron. There are eight corridors in this gaol and the prisoners are classified thus: sentenced prisoners, those awaiting trial, youths, insane, females. Sometimes a male prisoner is put with an insane man to guard him. The gaoler makes a sub classification when necessary, and never puts a bad man, even if he is awaiting trial, with an ordinary prisoner. The corridors have never been so full as to render that

necessary. There are 24 cells in all; four on some corridors, two on others. There are no better means of classification in the Province. The largest number of prisoners on any day was twelve. On September 30th he had only two; one under sentence for two months and the other in default of sureties. The entire number committed during the year was 104, of whom eight were committed for drunkenness. Six were boys. The only time he ever had any difficulty in classification was last October. The gaol he thinks sufficient for all the wants of the county, which he regards as a model county. Amongst the commitments were ten lunatics and ten vagrants. Some committed as vagrants were old people unable to work; others were tramps. Four prisoners were sent to the Central Prison during the year and these were not of the worst class; only two were really bad. This gaol has four yards attached; one for the male prisoners, one for the females, one for the gaoler and one for the turnkey. The prisoners are divided into two or three classes and these are let into the yards at different times. If there are any who would contaminate others no opportunity of doing so is given to them as they are allowed no means of communication. There is no means of providing employment for the prisoners. They have not even much wood to cut, as the gaol is heated by hot water. Before the Central Prison was established they made brooms and axe handles; but these industries have been abandoned since prisoners sentenced to hard labour have been sent to the Central Prison.

Welland,—John Coulson, gaoler, appointed in 1884, stated that in this gaol there are five corridors and 50 cells—ten on each corridor. It has two yards, one for males and one for females. One corridor is set apart for females and one for boys under 16. One is used exclusively for the harder criminals, the others for vagrants and drunks and those under civil process for contempt of court. Prisoners awaiting trial on a serious charge and sentenced men awaiting transfer are sometimes placed in the same corridor. He does not succeed in getting proper classification unless when the number of prisoners is small. The number of commitments during the year was 182. The greatest number in the gaol at any one time during the last year was 48, but during the winter just past he had as many as 63, and the number has gone as high as 82. He cannot keep boys entirely separate when he has more prisoners than cells, but then he puts with the boys men imprisoned for contempt of court or some minor offence. The men mix in the yards but when the number is large only those in two wards are taken out at a time.

Of those committed the year previous 21 were charged with drunkenness, of whom not more than four or five were committed a second time, 86 with vagrancy; 43 were sent to the Central Prison; none to the Mercer; one to the Reformatory for boys. There is a poor house in the county, but tramps are not admitted to it. They are sent to gaol. He does not find it difficult to get them to work, but it is difficult to find work for them to do. The officials of the county think it is rather against the paid labour outside to set them to breaking stones. Wood cutting, shovelling snow and keeping the place clean is all the work that is done. Few of the prisoners sent to the gaol to undergo sentence are removed to the Central Prison. In winter time three-fourths of all in the prison are fit for hard labour. A great many came from Buffalo. He had several girls and four boys during the year. When work was going on at the canal enlargement he had a greater number of prisoners. Satisfactory classification was impossible even when he had not the larger numbers in the gaol.

Whitby.—Daniel M. Decker was appointed gaoler in 1882. The gaol has four corridors that can be occupied and twenty-four cells, including a dark cell.

Boys and prisoners committed for comtempt of court are generally placed together. The gaoler thinks there in no danger of contamination in this. Lunatics and old men committed as vagrants he puts together. Those who are awaiting trial and sentenced prisoners are kept separate as much as possible. There is but one corridor for females. He seldom has loose women in gaol. He would not put them with others. There were only ten vagrants last year. He gets rid of them by giving them lots of work. He always has a stone pile ready for them and now they would rather go to any gaol than to Whitby. He gives them ten hours work a day. The vagrant who does a good day's work gets good beef at his dinner. The man who merely lets his hammer fall gets bread and water. Of the ten committed as vagrants three were poor old men belonging to the county who should be in a poor house. One was committed in February and (in October) was still there. Fifteen were committed as lunatics. Some of these were fit for an asylum; some were not. Twelve were women, wives of farmers and of mechanics. Four men and one woman were committed for drunkenness. There are times when the number is even smaller. There is a lock-up in the town and only those committed who do not pay the fines are sent to the gaol. If the old homeless people and the lunatics were cared for elsewhere the gaol would be large enough for a satisfactory classification of the remaining prisoners. Six boys and three girls were committed The boys were from twelve to fourteen. Three were charged with stealing candies from the freight shed and were sentenced to five days solitary confinement Two were charged with offences on the railroad. He could not remember the charge against the other. No girls were under fifteen. Two of them, Miss Rye's importation, were charged with stealing. One of these whom he thought very bad was sent back to the Old Country. A home was found for the other.

Woodstock.—John Cameron, who was appointed gaoler in 1867, stated that he had what would be called five corridors, two on each side and one for females. The cells all face inwards, radiating from the centre. The principle is in his opinion a bad one. In winter when the gaol is full the smell becomes very disagreeable. There are 24 cells for males, and eight for females. The entire number of prisoners in the year previous was 411. The highest number on one day was 80. He did not attempt to classify that number. He made beds on the floors of the corridors. The one in the west end of the gaol he kept for prisoners charged with serious crimes, and at the other end he stowed the drunks and vagabonds, and let them lie on the floor as thick as they could. Classification other than this was impossible. The gaoler further stated that he always tries to keep boys separate, but there is no classification of the females as they have but one corridor. Good and bad, young and old are put together. He always regards this corridor as a school of iniquity He got the committee to recommend an addition to the kitchen, where innocent and youthful offenders could be kept away from hardened criminals, but the county council refused to build it. Whenever the prisoners exceed fifteen in number they must be mixed. There are five yards Those charged with serious offences are put on one side, and those charged with less serious offences on the other. No further classification is attempted in the yards. There were 55 commitments for drunkenness during the year. Many have been committed three or four times. Some as many as twenty times. The vagrants numbered 218, and were of all classes. Some committed as vagrants were poor, homeless people, who should be sent to the poor house. There were then 20 or 30 such poor people in the gaol There was no poor house or other institution for them, and their relatives were unable to take care of them. Proper provision should be made in the gaol for the insane and juvenile offenders, and for the classification of other prisoners. Fifteen juveniles

were sent to the gaol during the year, six girls and nine boys. Of the girls one was accused of obtaining goods under false pretences. She got off. The others were charged with vagrancy. These were sent to the Reformatory. All were under 15 years of age. The girl who got off was afterwards arrested on another charge and sent to the Reformatory. Of the boys four were committed as vagrants, one for disorderly conduct, one for larceny, and three for destroying property. Eight were really neglected children who never had committed any crime. Of the prisoners seven were sent to the Central Prison direct, and six by warrant. The only work done in this gaol is keeping the gaol and court house clean, some gardening and sawing wood. Breaking stone was tried, but it had not the desired effect on the prisoners.

Neither the sheriff of the county of Lambton nor the governor of the gaol at Sarnia appeared to give evidence, although both were summoned.

General Remarks on Gaols.

The evidence of the sheriffs relative to the condition and management of the gaols and the classification and treatment of the prisoners corroborates that of the gaolers.

The evidence shows conclusively that except perhaps in a few cases the prisoners are not satisfactorily classed. Indeed in some cases the only classification really attempted is the separation of males and females. This in most cases is largely due to the structural defects of the buildings, many of which were put up when little attention was paid to classification. In the Ottawa gaol for example, there are ninety-six cells; the greatest number of prisoners on any one day of the year 1889 was forty-eight, and yet a satisfactory classification was found impossible. In gaols in which there are but one ward for females and three for males of all ages and classes, and in those gaols in which there frequently are more prisoners than cells classification of any kind is exceedingly difficult.

But the structural defects of the gaols are not the only difficulty. In nearly all the gaols a number of persons are confined who should be cared for elsewhere. The Inspector's report shows that of the 12,531 commitments to the common gaols in 1889 no less than 4,777 were for drunkenness and 2,164 for vagrancy—total, 6,941. This is more than one-half of the whole number, and although the recommitments for these two offences were numerous and the number of persons charged with drunkenness and sent to gaol was probably much less than 4,000 and the number committed as vagrants probably much less than 2,000, yet drunkards and vagrants must make up more than half the average daily population of the gaols, as the usual punishment for drunkards who cannot pay the fines imposed is imprisonment in the gaols from ten to thirty days and in some cases for longer periods, and vagrants who are dealt with as offenders are usually imprisoned for similar terms.

The evidence also shows that in a large majority of the counties the gaols are used as poorhouses, and that those, classed in the returns as vagrants, who are committed twice a year or oftener are really old, infirm, helpless people whose poverty and infirmity are their only crimes. In some counties such old and infirm people as do not belong to the county are sent to the gaols, but in several counties all the aged and helpless poor for whom the municipalities cannot or will not otherwise provide are committed to the gaols as vagrants. Few we hope can read unmoved the description, even though given in the dry official language of the gaolers, of the condition of these poor people when committed and of the sad, yet almost ludicrous manner in which on the expiration of the term for which they were committed they are thrust out of doors in order to be arrested and committed again—that the letter of the law may be formally complied with.

The insane, too, occupy in the gaols much of the room intended for criminals. The Inspector's report states that 437 persons were committed as lunatics during the year 1889. The evidence shows that of the persons so committed a large proportion are merely imbeciles who should be cared for in a poor house, and that these generally remain a long time in the gaols because they are not regarded as fit subjects for a lunatic asylum. Of those who should be sent to an asylum some, when the accommodation in the lunatic asylums was insufficient, remained in the gaols for months; and in some instances lunatics still remain in the gaols longer than they should because the proper means for procuring their removal are neglected.

Were juvenile offenders for whom imprisonment in a gaol even for a day is fraught with so much evil, and confirmed drunkards and vagrants who go to gaol to avoid the necessity of doing any work, dealt with as the commissioners recommend; were imbeciles placed in poor houses in which they could be employed in some work suitable to their condition and were dangerous lunatics removed to the asylums without unnecessary delay or received directly by the asylums when temporary imprisonment in a gaol was not absolutely necessary, the gaols would be so relieved that in nearly all of them there could be a much better classification of the prisoners than is now possible. The untried could be separated from the sentenced, the civil from the criminal prisoners, the young from the old criminals, first offenders and those for whose reformation there seem some grounds to hope, from the notoriously wicked and hardened.

Were the establishment of a poor house for each county or group of counties and the removal to such poor houses of all now confined in the gaols whose only crimes are poverty and infirmity made compulsory; were Industrial Reformatories for Inebriates sufficient for the treatment of confirmed drunkards provided, and were juvenile offenders properly cared for, the average number of prisoners in many of the gaols would be very small and a very much better classification would be practicable.

Gaol Management.

A number of gaolers are strongly of opinion that it would be much better if as in Great Britain the gaols of the Province were managed by the Provincial Government exclusively. They say that it is exceedingly difficult in some cases to induce the county councils to make repairs or improvements which are absolutely necessary, and that even in matters so important to the sanitary condition of the gaols—as the making, repairing or cleaning of sewers the recommendation of the Inspector is disregarded or is not acted upon for months or even for years. Uniformity of management and discipline which they profess to regard as of much importance can only be attained, they say, by having the entire control of the gaols placed in the hands of the Government, and greater zeal and efficiency on the part of the gaolers would thus be secured, as a system of promotion regulated by the capacity of the gaolers and their attention to their duties could be established. Under the present system the salary of the gaoler does not bear due proportion to the amount of his duties and responsibilities. For instance there were 641 prisoners in the Ottawa gaol last year and the gaoler got $650; at Whitby there were only eighty-five prisoners and the gaoler got $800; in London there were 1,042 prisoners and the gaoler got $600, in Brockville gaol there were 179 prisoners and the gaoler gets $1,000

The change which these officials ask for would, if made, be of very great importance, materially affecting the municipal system of the Province and increasing not only the powers but even in a great degree the responsibilities of the Government. For the proper care and custody of the prisoners and manage-

ment of the gaols the Government now possesses nearly if not quite all the authority that is necessary. Perhaps it would be well to give the Inspector authority to order the doing in a gaol of any work which he deemed of urgent necessity and which the county council or its committee neglected to do, without having recourse to any formal and perhaps tedious legal process, although the instances in which the recommendations of the Inspector have been wholly disregarded are comparatively few, and those in which the county councils have been excessively dilatory in making necessary improvements have not been many. If the Government were to assume the entire control and management of the gaols as in Great Britain then as in Great Britain they must assume also the entire burden of their support. The gaol expenditure in 1889 was $135,983. The reasons must be weighty which would justify so great a change of policy, and the commissioners do not regard the evidence submitted to them as sufficient to justify their recommending that it should be made, especially in view of the great change in the condition of all the gaols that would be wrought if effect were given to the recommendations which they make respecting the treatment of juvenile offenders, habitual drunkards and vagrants. Indeed, were these recommendations carried out the daily average number of prisoners would be so small in many of our gaols that such a reduction in the number of gaols as has been made in Great Britain may be deemed desirable. England and Wales had but fifty-nine local prisons in 1889-90 and some of these in which the number of prisoners is usually small may be closed. Scotland has but fifteen local prisons. It has however, twenty-eight licensed cells in only two of which were more than twenty prisoners confined at one time. In these cells no prisoner is detained more than a few days. In Ireland, on the 31st of March, 1888, the local or ordinary prisons numbered only twenty-five, of which nineteen were district and six were minor prisons and the bridewells or places of temporary detention were eighteen. The number of prisons was said to be too large. In Ontario, whose population is about half of that of Scotland, less than half of that of Ireland and about one-fourteenth of the population of England and Wales, there are forty-two gaols and twelve lock-ups other than those attached to the police stations of cities and large towns. The great territorial extent of the Province accounts in part for the great number of gaols and the municipal system which requires each county or union of counties to provide a gaol has led to the construction of some that are scarcely needed, even as gaols are now used and managed. In proportion to the criminal gaol population the number of gaols in Ontario is very large. It should be remarked that none of the gaolers who urged that the entire management of the prisons should be assumed by the Government, even professed to seek so great a change because any of the serious defects in the present system which affect the prisoners would thereby be removed. They did not say that improved classification would follow such a change, or that it would do anything towards the introduction of suitable employment for the thousands of lazy worthless men and women for whom the gaols are now places of rest and refreshment, in which they sleep off the effects of one debauch and gain strength for another.

Police Stations—Lock Ups.

The cells of the police stations in the cities of this Province nearly all require prompt attention, as they seem to have been designed in utter disregard of decency and all sanitary conditions. In London the police station is a large, modern structure, but the places in which the prisoners are kept are merely two narrow halls or corridors, off each of which are two or three small, dark cells into which the

more refractory are put. Into one of these corridors all the males arrested during the day and night, the drunk and the sober, the violent and the quiet, those accused of the most serious crimes and those arrested for petty offences are thrust, a single long bench affording them the only resting-place, except the floor. Into the other corridor females of all degrees of criminality are thrust. A large upper room is sometimes used for those who are not drunk or charged with crime, but in this there is no means of classification, and a stove pipe hole affords means of communication with the lower corridors. In Hamilton the cells built within a few years were constructed with more regard for decency. Unless when the number of prisoners is unusually large there is a cell for each, but the cells form one long row, the women's department separated from the men's by a small space, on which the doors formed of iron bars open from the corridors. Men standing in the passage in front of their cells can see and converse with any women who may not be locked up in the cells of the female department, and conversation may be carried on even when all are locked up. The cells of the Kingston police station are a disgrace to the civilization of the Province. In the police station at Ottawa recently constructed there is on all ordinary occasions a cell for each prisoner, those for the males on one corridor and those for the females on the other being built back to back, so that communication except by knocking on the dividing wall is impossible, and those on one corridor cannot see, or unless a very loud noise be made, hear what is done or said by those on the other. The floor of concrete is easily kept clean. The cells at the police station, Court street, Toronto, are merely two large basement rooms, one within the other, access being had to the women's pen by a passage separated from the men's pen by iron bars. In each room a row of iron bars reaching from floor to ceiling separates the space within which the prisoners are confined from that in which the police and visitors move. In the one cage all the males arrested during the night, in the other all the females, young and old, persons charged with trifling offences and hardened criminals, those arrested for the first time and those who have been arrested scores of times, the comparatively innocent and the utterly depraved and reprobate are packed together. There is not and there cannot be the slightest attempt at classification or discrimination. The place is kept as clean as such a place can possibly be kept but in all other respects it is disgraceful to a great city. Nothing more revolting than the scenes which must be witnessed in these pens when the prisoners are numerous, as they often are, can be imagined.

Yet some improvements have been made we were told. It is not very long since all prisoners male and female were placed in the same pen. Now there is a matron, who searches the female prisoners when search is thought necessary and enforces some degree of order in what were else a pandemonium. Females arrested in any part of the city before midnight are now taken to this station and placed under the care of the matron and in some cases the matron takes to her own room, (which indeed is but a small gloomy cell) a young girl yet free from vice whom she wishes to save from contamination. The condition of affairs must surely be deplorable when it is regarded as a great advantage to a female prisoner to be placed in this dreadful place because the presence and care of a matron may there afford her some protection.

The horrors of the van known as the Black Maria in which prisoners are conveyed from the police station to the gaol and from the gaol to the station exceeded even those of the pens, because in this were crammed indiscriminately men and women, young and old, the hideously vile and those innocent or guilty of trivial offences. A second van the commissioners were informed would soon be ready for use and then males and females would no longer be packed together.

Peremptory measures should be taken to compel city councils or other municipal authorities to reconstruct on proper principles the police cells, which in their present condition are a disgrace not only to the cities in which they are situated, but to the whole Province; and the employment of a matron to take charge of the female prisoners should be made compulsory. A single night spent in one of these police stations must degrade and demoralize even the well-disposed, and must corrupt and utterly ruin the viciously inclined. The importance, the absolute necessity of a thorough reformation in the construction of police station cells and in the treatment of the prisoners confined in these cells cannot be urged too strongly upon all who are in any way responsible for the moral well being of the people of this Province.

Dr. Wines says, "It would seem at first to be a matter of slight importance, where arrested persons are put for a single night or day or how treated so long as absolute barbarity is not practised. 'Let the brief hardship be a lesson to them: make the place intolerable and they will keep out of it.' If they would the case would be different. Brutal treatment brutalizes the wrong-doer and prepares him for worse offences. We must consider that amongst the occupants of a lock-up there will always be a number who are there for the first time and the first offence. They have been caught in bad company or have been guilty of some disorder; or found sleeping out of doors having no indoors where to sleep; or accused by the blunder of a policeman; or held on groundless suspicion. Just at that point not a few of these take the first step of a downward course. Probably not less than ten per cent. of all confined nightly in this class of prisons are there for a first and trifling offence or for no punishable offence at all. Not a few of these children—boys and girls under fifteen years of age, whose chief fault is that they have never known a parent's love, never enjoyed the blessing of a home, never felt the warm pressure of christian care and kindness. Truly human justice is a clumsy machine and often deserves the punishment which it inflicts."

The Central Prison.

This prison in its design and management resembles British local prisons, and the institutions known in the United States as houses of correction or workhouses, yet in some respects it differs from them very widely. The British Local Prisons receive prisoners under sentence of imprisonment for various terms from one or two days to two years, debtors, prisoners awaiting trial or on remand, and those called surety prisoners: they are also used for the detention of prisoners sentenced to penal servitude. In the houses of correction the great majority of the prisoners are confined for short terms, varying from a few days to one or two months; but several are imprisoned for terms as high as five and in some instances even as high as ten years. The workhouses are not used as places of detention except in some cases of prisoners who cannot procure bail. Few short term prisoners are sent to the central prison in the first instance. Of 739 prisoners sent to this prison in 1889 those sentenced for one month or less were only 46; those sentenced to terms from one to two months numbered only 45; those sentenced to more than two and up to three months imprisonment numbered 160; and those sentenced to terms of from three up to six months numbered 100. The greater number are sent for six months and upwards. Two hundred and seventeen were sentenced for six months and 171 for more than six months and up to two years. None are sent to this prison to await trial or on remand or for purposes of mere detention, and none can be sent for more than two years. It seems to be peculiar to the Ontario system that men sentenced to imprisonment in the county gaols may be transferred to the Central Prison, when for any

reason such a change seems desirable to the authorities. Of the 739 prisoners committed in 1889 no less than 229 were sent to the common gaols to undergo their sentences, and were thence transferred to the Central Prison. This prison has 380 cells; the largest number of prisoners on one day in 1889 was 434, the smallest number 330; the average was 372.

The evidence of a number of gaolers, police officers, and others proved beyond doubt that the criminal class dread the Central Prison very much, and that the strict discipline and steady work have a strong deterrent effect on that c ass. It is by no means unusual to hear that prisoners when about to be sentenced, implore the judge or magistrate to send them to the penitentiary rather than to the Central Prison. They even ask sometimes to be sent for three years to the penitentiary rather than for two years to the Central Prison. Mr. Massie in his evidence said, "That is easily explained. I believe in strict discipline and I hold to this belief. When I entered upon my duties I had large sympathies with the prisoners. I thought I could reclaim every man that entered there. I entered upon my duty with this feeling, but I soon found that I had to apply the principle of punishment. I found that I had to treat them firmly but kindly, and then I laid down certain strict rules of discipline and that is one reason why the prisoners object to the Central Prison. Another reason is that I hold to the views that when a man forfeits his liberty through bad conduct, preying upon society and is put inside a prison, he is subject to the regulations under which it is worked and if we were to allow people to send in whatever they liked to the prisoners, those delicacies and little luxuries which so many are fond of, the tendency would be to destroy the discipline which we enforce. The proper position for a prison to take is, I think, to make it a deterrent to the commission of crime. I do not think however, that the treatment should be unnecessarily severe that you should make the prisoner suffer to any great extent The diet is well cooked, but it is not liberal; it is quite sufficient to keep up their system. We give every man sufficient food, in fact we are obliged to do this to get the proper amount of work. The whole secret of the matter is that every man must work. Hard labour is attached to the sentence and in all cases we insist upon carrying out the sentence. We have in view in doing this the fact that each man must be supplied with a fair amount of wholesome food, but beyond this we will not go."

As far as the commissioners could observe when they visited the prison, the labour was nowhere excessive. All were busy, yet few seemed to work as hard as the free workman employed in a factory, or at trenching, or in brick making. As in other penal institutions they were informed in answer to their enquiries, that the prisoners do not do as much work in a day as wage-earners must do if they would retain their employment.

Although the strict discipline creates such a dislike of the Central Prison amongst the criminal class, it does not deter all who pass through it from the further commission of crime. Almost every gaoler who was questioned on the subject stated, that of those sent from his gaol to the Central Prison, some were again committed for offences similar to those for which they had been punished. The returns do not show how many of those sent to the prison in any year were committed for a second or third time. Mr. Massie when asked, "Are the number of recommitments decreasing in anything like proportion to the first commitments?" answered, "No, I do not think they are. I think the effect of our system is, to keep the young out of the ranks of confirmed criminals, but I do not think the same attention is being devoted to the old and confirmed criminals." In reply to a question as to the possibility of doing something more for the reformation of criminals? he said, "We are trying in an humble manner to

reclaim them and we succeed in many instances. There are many hundreds who have passed through the Central Prison who never return to crime. I know large numbers in the city to-day, who are now holding responsible positions who have served their term in the Central Prison." Asked if there were not, even when the prison system was worst, many who, having undergone punishment, did not return to their criminal way of life, he said, "there were some certainly, but not nearly the number there are now."

In the houses of correction or workhouses of the United States, no attempt has yet been made, as far as we could learn, to introduce the indeterminate sentence, the parole system, or any system of reduction of the term of imprisonment, as an incentive to and reward for good conduct. In the English local prisons, as we learn from Dr. Wines, "A really great and long-needed reform has been introduced into the local prisons with the new system—the progressive classification of prisoners. Beginning with rigidly penal conditions of food, bed, labour and general treatment, the prisoner has to work himself up gradually by good behaviour and industry into higher stages, in which he is subjected to a less irksome *regime*, and meets with various welcome ameliorations of his condition. A powerful stimulus is thus afforded to good conduct and diligence. . . There are four stages. The prisoner's merits are attested by marks. Eight marks is the maximum number that can be earned in a day. The prisoner remains in the first stage until he has earned two hundred and twenty-four marks, which he may do in twenty-eight days, and then he passes into the second stage. By earning the same number of additional marks, he passes into the third, and in like manner into the fourth; so that every prisoner having a sentence of more than four months, may reach the highest stage where he will remain during the remainder of his term, unless degraded for misconduct, or by way of punishment. No gratuity can be earned in the first stage; a shilling may be earned in the second, one and sixpence in the third, and two shillings in the fourth for every 224 marks. Divers other advantages are obtained at each advance which are highly valued." The money rewards are very small in amount, and this has led to many protests on the part of the friends of discharged prisoners and of aid societies.

Mr. Tallack, in his work on "Penological and Preventive Principles," published in 1889, says: "In the local (cellular) gaols of Great Britain, four stages may be passed through in succession by the longer sentenced prisoners, and a maximum of eight good marks per day may be earned. In the first stage the prisoner earns no money, has the hardest labour and the lowest dietary, and sleeps at night on a plank bed without a mattress (but not without blankets). When he has obtained 224 good marks he may pass into the second grade, where he may have a mattress five nights of the week, with school instruction and books. He may earn one shilling during the whole stay, and may have special exercises on Sundays.

"In the third stage (reached after earning 224 marks in the previous one) the plank bed is only enforced one night a week; one shilling and six pence may be earned, and certain minor privileges. Another 224 marks will bring the prisoner to the highest or fourth stage, where the plank bed disappears, and two shillings may be earned; but in certain cases of special good conduct a maximum of two pounds may be reached. Increased privileges as to correspondence, reading, etc., are also now permitted. The local gaols of Great Britain receive prisoners for periods ranging from one day to two years the maximum."

The treatment of prisoners undergoing sentence is much more severe in many respects in Great Britain than in the United States or in Canada The desire to

obtain the rewards described by Mr. Tallack, trifling though they seem, does more to maintain discipline than any system of punishments. It probably does much also to induce habits of industry, and to create a spirit of self-reliance.

It seems a matter of regret that no attempt has yet been made to introduce a system of rewards as well as of punishment in the Central Prison. Punishment alone has never been found sufficient for the suppression of crime, or the reformation of criminals. "Hope," says an eminent penologist, "is the master spring of human action. Without it even the good can scarcely retain their goodness: without it the bad cannot possibly regain their virtue. It must be implanted in the breast of the prisoner the first hour of his incarceration and kept there as an ever present and living force. Hope is the great inspiration to exertion in free life. Why should it not be made to fulfil the same benign office in prison life? Can anything else supply its place? Hope is just as truly, just as vitally, just as essentially the root of all right prison discipline as it is of all vigorous and successful effort in free life."

It has been alleged that the introduction of the indeterminate sentence and the parole system in the Central Prison would be impossible, because the number of long term prisoners is so small. This may be matter of controversy, although there is nothing but the will of the Dominion Parliament to prevent the adoption of a perfectly workable system of that kind if it were thought desirable; but this objection cannot be maintained against a system modelled on the English. The average population of the Central Prison is larger than that of any one of forty-five of the English local prisons—much larger in many cases, and the number imprisoned for six months and upwards in those prisons is less than a third of the whole. Mr. Massie in his evidence said: "We don't keep a record of every prisoner's conduct. We keep a record of misconduct so far as those who violate the prison rules are concerned, but not of those who are well behaved. You will understand this that although under the prison rules there is no record kept there are certain marks against them and the evidence of bad conduct in the works." In reply to various questions he stated that there is no system in operation in the prison by which the sentence of a prisoner may be shortened as a reward for good conduct, but that it could be introduced with advantage for the long term prisoners, of whom there are not many. The system of indeterminate sentence he thought could not be applied to the short time prisoners, and would not work in the prison as the law stands now. He would approve of a system under which some one would have a right to reward by remission of part of his sentence a prisoner who behaved entirely to the satisfaction of the Warden. "Quite a few," he said, "have been pardoned and allowed to go out through my recommendation to the Minister of Justice through the Attorney-General, where the persons have been held under a sentence very severe for the offence for which they were committed." Asked if he believed in punishment as regards those who fail to perform a fair amount of work, Mr. Massie replied: "I am a Presbyterian and strong believer in the Paulist doctrine that if any would not work neither should he eat."

A number of prison reformers maintain that prisoners should neither be punished nor rewarded. All punishment they speak of as revenge. The State they say has a right to imprison criminals for the protection of society and to keep them in prison until they have given satisfactory evidence of such a reformation as will make it safe to give them their liberty. Whatever means seems best calculated to produce their reformation the State should, for society's sake, employ; but rewards of any kind they disapprove of. An Act passed by the New York Legislature in 1889 known as the Fasset Act, provides that meritorious

prisoners may receive compensation in money to an amount not exceeding ten per cent. of the earnings of the prison. Mr. Eugene Smith, secretary of the Prison Association of New York commenting on this in a pamphlet recently published, says: "The allowance made to the prisoner is called compensation, but compensation for what? Apparently compensation for good conduct. Where is the free community in which money is earned as a compensation for mere good conduct? And the question may fairly be asked whether it is not a false and hurtful idea to inculcate in the convict that he ought to be paid money for simply conducting himself well?" There are some prisons in which credit is given to the convicts at certain fixed rates for all the work they do and they are charged fair prices for the food, clothing and other necessaries they receive, and for the cost of lodging and guarding them. The balance they may authorise their families to draw, or it is invested for them until their term has expired. This Mr. Smith regards as the ideal system. The prisoner, like others, needs food, clothing and bed. "The State is under no obligation to furnish him with any of these things," argues Mr. Smith. "The public owes no man a living, least of all does the convicted criminal, who has defied the laws, have any claim on the charities of the State." One thing only the State ought to do, and it arises out of the necessities of the situation. "The convict being deprived of his liberty cannot get work to do for himself; the State ought, therefore, to provide him with work and pay him proper wages for his labour. The State having done that has in this regard discharged its full duty. And then, the condition of the prisoner becomes that of any free labourer—he will have to work for his support; he will have to pay out of his wages for whatever he consumes and for the general expenses of his living; and if, by dint of economy and hard work, he is able to earn more than he spends, grant him the privilege, within proper limits, to accumulate his savings until his discharge. Such a fund will then serve a most useful purpose in tiding him over the first trying period when he is adjusting himself to the changed condition of freedom. Or, if he has a family, give him the liberty to apply any possible savings to their support. If he is sick or disabled the State will provide for him on the humane principle on which it maintains hospitals and asylums. But to the sturdy convict the relation of the State should be that of employer to employé.

"Now mark the natural effects of such a system upon the character of the convict who was at first an idle vagabond, living on what he could get by depredations. There is necessarily developed in him in the first place the habit of industry and the habit of self-support by his own labour. He gets used to earning money and to saving money and to doing both by work. He acquires an experimental knowledge of the value of money and of the value of labour. He becomes accustomed to the idea that labour is the only legitimate means of supplying his wants and of making material progress in life. And when he leaves the prison he comes out a competent and industrious workman, inured to self-support under circumstances so like those in which he now enters as not to suffer any radical shock from altered conditions."

The system thus strongly advocated has not been adopted to any great extent anywhere. The system of allowing the prisoners a small portion of their earnings, presumably the difference between the cost of maintaining and guarding them and the value of their work has found more favour. In some of the Western States a small sum is allowed daily to strong and feeble, sick and well, skilled and unskilled alike. The amount is in most cases too small to be of much use to the prisoner's family, and the two objects to be aimed at in making such allowance, unless Mr. Smith's principle be fully adopted, are the acquisition of habits of steady industry and the strengthening of the family ties which so often exercise

so powerful an influence for good even on the most depraved and most hardened. Another system is that of setting the prisoners a task or stint and placing to their credit for the use of their families or of themselves when they have regained their liberty a reasonable price for all the over work they do. This system Mr. Massie has adopted in the Central Prison. He said: "I can say that we have introduced the system of giving men task work. After a man has finished his task we pay him for whatever other work he does. I find that this is a great incentive to men to do good work in the prison."

The principle on which payments for extra labour are made, Mr. Massie explained. Men employed in any occupation outside do more work in a day than is done by prisoners. This is partly because several of the prisoners have not received a sufficient training. The "stint" is not regulated by what a good workman does outside but by what is considered a fair average day's work for a prisoner. The men working in the brickyard where twelve work on a machine get a stint of nine thousand and the men are paid for whatever they do over at the rate of 25 cents a thousand to some and down to 6¼ cents. Some of these men make as much as $60 from May to October. A stint is fixed in the broom shop which a prisoner when he has learned his work thoroughly can get through nicely in seven hours. A stint is fixed as far as possible in regard to blankets and tweeds. Where it is difficult to keep an account of the over work from 20 to 40 or 50 cents a day is allowed. In the tailor's shop the men are paid ten per cent. of the value of their work. Asked how the man who is not a mechanic is paid, Mr. Massie said, "We regulate it by paying so much to the average man and as much to the expert, taking as a basis what the average man can do. We make no distinction as to rates."

How far this may serve as a substitute for the hope of earning a remission of a portion of the convict's sentence it would be difficult to say. The effects of such payment for extra work made on equitable principles must be good. There is no reason why this system of payment for extra work should not be combined with a system under which a remission of part of the sentence or a liberation on parole could be earned by good conduct, attention to work and diligence in such literary studies as may be prescribed. No system of dealing with criminals from which the hope of reward is absolutely excluded can be thoroughly successful.

Penitentiaries, State Prisons, Convict Prisons.

The penitentiary, or convict prison, as it now exists, is comparatively modern. When the feudal system disappeared and states became consolidated the erection of large prisons became necessary, although executions continued to be numerous, and barbarous punishments—the cutting off of the right hand or right foot, branding and scourging—were freely used for the prompt repression of misdemeanours which now would scarcely be regarded as serious and the pillory was in every-day use for the punishment of petty offences. The governments of continental Europe found much difficulty in dealing with criminals whom it was deemed inexpedient either to put to death or to set free. England sought relief from this difficulty by sending a large number of criminals to the West Indian and North American plantations, where they were disposed of to the planters on terms which made them virtually slaves for the period of their service. Towards the close of the eighteenth century the colonies refused to receive any more of the convicts and it became necessary to make some provision for their safe-keeping and proper management. The labours of John Howard had begun about that time to produce some effect. He was strongly opposed to the transportation system, but his

opposition would have proved unavailing if the colonies had not insisted on its discontinuance or the experiment at Sierra Leone had not proved a failure. An Act, 19 George III., c. 74, which, it is said Howard assisted in framing, after stating that "the punishment of felons and other offenders by transportation to His Majesty's colonies and plantations in America was attended with many difficulties," provided for the erection of "two plain, strong and substantial edifices or houses, which shall be called the penitentiary houses, for the purpose of employing and confining in hard labour in one of the said houses such male convicts and in the other such female convicts . . as shall be ordered to imprisonment and hard labour." The especial purpose of the establishment of these penitentiaries is stated in the 5th section, which says that "if many offenders convicted of crime for which transportation hath usually been inflicted were ordered to solitary imprisonment, accompanied by well regulated labour and religious instruction, it might be the means, under Providence, not only of deterring others from the commission of the like crimes, but also of reforming the individuals and inuring them to habits of industry." The idea of providing a cell for each prisoner, which is probably all that was intended by the framers of this Act, was at that time new in England, as was indeed the idea of reforming criminals or suppressing crime by any other than deterrent methods; nor did these ideas obtain to any great extent, in other European countries. The prison of San Michele, at Rome, built in 1703, for Pope Clement XI, was probably the first constructed on that principle. Fontana, the architect of this prison, it is alleged first introduced the wings, radiating from a centre, with tiers of cells fronting on corridors, which many believe to be of American origin. In this prison also, as Mr. Tallack says, the necessity of combining the moral with the deterrent conditions of separation was permanently recorded in the motto conspicuously inscribed over the prison: "*Parum est coercere improbos nisi probos efficias disciplina.*" (It is of little use to restrain the wicked by punishment unless you make them virtuous by discipline). Howard visited this prison and it is said, greatly admired the motto in which his own views were expressed. M. Corbeer, appointed a commissioner by the French government in 1839, to report upon prisons, declares that the correctional system is not American, but has existed from comparatively early times. A prison after the model of St. Michele, was built at Milan, and another long after at Ghent. From these probably Howard adopted the system of prison construction which he recommended to some friends in Gloucestershire where the first prison built on this plan in England was actually erected. When Mr. Fowell Buxton visited the prison at Ghent in 1817 it had probably undergone very little change. He tells us that the prisoners' beds were in small recesses from a gallery opening from the court. Each had a separate cell. The major part of prisoners of the same class worked together in rooms 176 feet long and 26 broad. They wove calico, damask and sacking cloth, and there were shops for carpenters, sawyers, blacksmiths and other mechanics. The manufactory was under a contractor who furnished the prisoners with their food—twenty-six ounces of bread and two quarts of soup daily for each. The utmost care and regularity were preserved, and no prisoner was allowed to speak. The prisoners received the whole amount of their earnings every week and purchased at shops in the gaol what they required. They were cheerful and well behaved. Mr. Buxton did not see a fetter or chain in the whole prison. Corporal punishment, once inflicted, was dispensed with, having been found unnecessary; privation of work it was said was penalty sufficient to keep ninety-nine out of a hundred orderly and attentive to the rules, and if one was occasionally received of an unusually turbulent and ungovernable disposition a week's solitary confinement invariably reduced him to obedience. "There was," says Mr. Buxton, "a degree of cleanliness in their persons and an air of cheerful-

ness in their countenances; in short, an appearance of comfort and respectability which was the strongest evidence of the success of the system. I had lately visited the principal prisons of our metropolis and I can convey no adequate conception of the contrast. The most boisterous tempest is not more distinct from the serenity of a summer's evening; the wildest beast of prey is not more different from our domesticated animals than is the noise, contention, licentiousness and tumult of Newgate from the quietness, industry and regularity of the Maison de Force." This was 43 years after Mr. Howard's first visit to this prison.

The Act referred to and other Acts subsequently passed did not produce the effects that were expected. In May, 1787, seven vessels having 800 convicts on board sailed from Spithead for Botany Bay, N.S.W. The English Government preferred the transportation system for disposing of convicts to any other. Other convict settlements were afterwards established. The horrors of that system, although much that was dreadful reached the public ear were not fully exposed until 1837, when appalling revelations were made before a parliamentary committee moved for by Sir W. Molesworth. Even then although a Bill passed providing for the erection of penitentiaries, it was also provided that they should be erected in Australia. It was not until 1854 that an end was put to this system, the Australian colonies with one exception having refused to allow convicts to land on their shores, and the colonies of South Africa having shown an equal determination to exclude such undesirable immigrants. Some convicts were sent to Bermuda as late as 1859, and some to Western Australia as late as 1867. A few were sent to Gibraltar until 1874, and then transportation wholly ceased. In 1874 England had eleven convict prisons for men and three for women. There is now only one in Scotland, that at Peterhead. There are four in Ireland.

The Irish or Crofton convict system many regard as an adaptation of the system by means of which Captain Maconochie wrought such wonders in Norfolk Island. A similar system was in operation in Bavaria for some time before Sir Walter Crofton, perhaps following those examples, framed his system. Although the laws relating to convict prisons were the same or nearly the same in Great Britain and Ireland, the modes of administration and the results differed widely. It would be beyond the line of our duties to describe those systems in detail. Miss Mary Carpenter, in her work "Our Convicts," published in 1864, gives a full and interesting description of the Irish system which she regarded as greatly superior to the English. Dr. Wines in his great work also gives a description of the Irish system which notwithstanding the defects which he points out he greatly admired. It may be said briefly that the Irish was a progressive system under which a prisoner may continue to earn good marks and many important advantages from the day he entered prison to the time of his discharge. Under both systems the prisoners underwent solitary confinement for nine months. For the first three months they were completely secluded. They were fed on a bare sufficiency of the coarsest food and compelled to do some labour, such as moving shot or working on a treadmill that was wholly unproductive or nearly so. For the next three months they got better food, and for the last three months they got work they liked better, were allowed to sit with the cell doors open, and treated more kindly in many ways. During these nine months they received careful religious and literary instruction. This is the system still. The principle on which it is based is that punishment should attend crime and that the punishment should be most severe in the earlier part of the convict's term, that he may thus be brought to a proper sense of the heinousness of his crime. The solitary confinement, serves, it is thought not only as a punishment

but as a means of reformation, the prisoner being thus compelled to reflect and to commune with himself. The religious and literary instruction it is supposed contribute to his reformation, and he is thus prepared to take his place in a gang of labourers without incurring much danger from the association. We have been unable to ascertain whether any large number of the convicts are morally improved by this nine months solitary confinement. The continuance of the system seems to prove that the prison authorities believe it to be of some use. Michael Davitt's description of his fellow convicts, in his "Leaves from a Prison Diary," gives the impression that the great majority of the convicts are quite as bad at the end of the nine months, and quite as bad at the end of their term as on the first day of their imprisonment. Under the Irish system the convict could from the very first earn by good conduct, and attention to work and to study, good marks and badges, and all the accompanying advantages. It was of advantage to the convict who was sent to Spike Island or any of the other convict establishments that he had a badge. The remission of his sentence permitted by law the convict could thus earn, and the small amount of money paid to those in the higher grades: and he could secure his earlier removal to what was called the Intermediate Prison at Lusk, where he enjoyed comparative freedom, was well fed, was paid half a crown a week, and was prepared to take a place amongst free men. There was also an intermediate prison for females, under the charge of a religious community which was very successful. The Crofton system won the admiration of penologists everywhere, and was made the basis of the prison system of many other countries. After the convicts were discharged on ticket-of-leave, a careful but helpful supervision of them was maintained. In England under the management of Col. Jebb and his associates, the convict was discharged on ticket-of-leave, almost as a matter of course. Miss Carpenter states that the guards were afraid of the more desperate convicts, and reported their conduct "good" when they should have reported it "bad." When the convicts were let loose there was no surveillance of them, no attempt to enforce the conditions of the ticket-of-leave, and for some years all England was in constant dread of the ticket-of-leave man. A work, "Prison characters drawn from life by a Prison Matron," which created a great sensation when published in 1866, shows that the English system worked quite as badly amongst the female convicts.

The Irish system has undergone many changes. The number of convicts is now small. The works on the fortifications in Cork harbour and elsewhere have ceased. The intermediate prison at Lusk, when the number of convicts, awaiting their discharge there, dwindled to twenty-five was closed. Mr. Tallack says that the system was a failure, but in describing the English system as it now is, it shows not that the Irish system has been a failure, but that the English system has been greatly improved by the adoption of many of the most valuable of the principles of prison management long regarded as distinctively Irish.

"In the British convict prisons for long terms, the inmates have the opportunity afforded them of gradually obtaining for themselves by means of good behaviour and industry, a remission of their original sentences to the extent of about one-fourth of the time for men and one-third for women. Thus a man sentenced to twelve years' imprisonment can earn his liberation in nine years (but under police supervision for the remaining three), whilst a female convict may liberate herself in eight years with the same original sentence.

"In addition to this ultimate reward, the convicts may earn a succession of more immediate privileges and ameliorations of their condition by working themselves out of the lower or more penal grades into the higher ones. The first year of penal servitude forms a probation period of which about nine

months are spent in cellular confinement. If during this year 720 good marks have been earned, the third class in associated labour is entered. The convict remains in this for, at least, one year. But when he has earned 2,920 marks he may pass up into the second class for a third year. Another 2,920 marks will bring him into the first or highest class in which there is a further sub-class ranked as special, which carries a slight extra remission of one week of the original sentence.

"Eight good marks per day are the maximum attainable. In the third class, convicts may earn one shilling a month with permission to receive one visit from their friends each half year. In the second class, one shilling and six pence per month may be earned, with the substitution of tea for gruel, longer exercise on Sundays and increased privileges of visits and correspondence. In the first class extended advantages of the latter kind, with a further improvement in dietary, more exercise on Sundays and a half a crown a month may be earned. There has recently been instituted a special "Star" class, consisting exclusively of convicts not previously sent to penal servitude. These enjoy some particular privileges and they carry a red star on their dress to distinguish them from other prisoners.

"Convicts must in general have learned to read and write before they can be admitted to the highest class. Different dresses are worn in the respective classes. The adoption of this 'progressive system,' it may be remarked, has led to a large diminution of punishment in those prisons. And this is a chief merit of the plan, namely, its aid to the officers and to discipline. But it must always be remembered that it affords little test of either the character or the reformation of criminals. In fact, the greatest hypocrites and the most cunning, habitual rogues, may most easily avail themselves of its advantages. Nevertheless, and in spite of this it is of great value. But the appendage of supervision is also very essential."

When it became necessary to provide for the custody and care of all the British convicts in Great Britain, the English Government sent commissioners to the United States to observe the working of the penitentiary or State prison system in that country and report. American ideas were not adopted to any great extent. The original act establishing Penitentiaries in England provided that the convicts should be kept separate at night, and, as much as possible, during the day, and that they should not be allowed to hold communication even when it was necessary that they should work in the same room or shop. The solitary confinement of convicts during the first nine months of their penal servitude can hardly be regarded as an adaptation of that system of complete separation which those commissioners found in operation in some of the American prisons, and which is still in operation in less vigorous form in the Eastern Pennsylvania prison. In American prisons generally, solitary confinement was used only as a punishment for insubordination or violation of the prison rules. The ticket-of-leave system, or the system of conditional liberation, as it is sometimes called, was first tried in the Australian convict settlements, and having been found to work satisfactorily there, it was adopted in Great Britain, when transportation could not be continued. It was really little more than a shortening of the term of the convict's sentence, until Crofton, in his administration of the Irish prisons, showed how much more may be gained by requiring the convicts actually to earn such remission of part of their sentence, as was allowed by the law, and enforcing the terms of the ticket-of-leave. This system in its improved form was adopted in 1862 by the Kingdom of Saxony and the Grand Duchy of Oldenburg; in the Canton of Sargovie, in Switzerland, in 1868; in Servia in 1869;

in the German Empire in 1871; in other Swiss Cantons and in Denmark in 1873; in the Canton of Vaud and in Croatia in 1875; in the Canton of Unterwalden in 1878; in the Netherlands in 1881, and in France in 1885. "Even the Empire of Japan has embodied it in the code of 1882." The parole system now in operation in so many penal and reformatory institutions of the United States is but a development of the ticket-of-leave system, which may be regarded as the origin of the parole system now carried much further in some of the prisons of the United States than it has yet been carried in England. In the British prisons the convicts to increase the severity of their punishment are for some months employed in work almost or entirely unproductive, such as that of the treadmill or the moving of heavy shot. The managers of all the penal institutions of the United States agree that while labour is absolutely necessary as a means of reformation, unproductive labour has a most injurious moral effect on prisoners and it is never resorted to in these institutions unless for purposes of instruction. In the English prisons the diet table, framed so that the average man may receive a bare sufficiency of coarse food, is strictly adhered to, and the consequence is that some suffer constantly from the pangs of hunger. In many, perhaps in all of the prisons of the United States, although there is a diet table, every prisoner receives an abundance of food, and in some, care is taken to supply vegetables in season. Some wardens say, that unless the prisoners get enough to eat, they cannot work. Others contend that by being careful as to the quality of the food and as to the manner in which it is served, they do much to strengthen whatever self-respect and human feeling the prisoner retains. Some, for this reason, allow the friends of prisoners to give them delicacies and furniture and ornaments for their cells. In most cases the prisoners receive a liberal allowance of tobacco. Mr. Brush, warden of the Sing-Sing New York State prison, says: "There are many ways of assisting to maintain discipline in a prison. I do not mean so much discipline that simply keeps order, but the discipline that makes character and helps the man after he leaves prison. Amongst the greatest of these are privileges which are given to the prisoners, such as writing to and receiving letters from their friends, receiving visits from those who are nearest and dearest to them and receiving luxuries occasionally from their friends outside. By these privileges you keep up and improve what is best in them. By depriving them of such privileges, you harden them and make them careless as to their conduct and indifferent as to their future. When they are once assured of those privileges and have enjoyed them, the deprivation of them temporarily will do much in keeping the unruly in order." Others, however, contend that much harm is done by allowing prisoners who have wealthy friends to receive luxuries.

Literary instruction is carefully attended to in several of the American prisons. In English prisons literary instruction is given during the nine months of solitary confinement. In the American prisons it continues during the whole period of imprisonment or until the prisoner has acquired a fair common school education. In the Massachusetts State prison, in which, as the warden informed the commissioners, there were at the time of their visit only 18 prisoners who did not know how to read and write when committed, school is taught from 6.30 to 7.50 p.m., on five nights of the week and is attended by 104 men. This school costs $2,000 a year and an increase of the appropriation to $3,000 was asked. The library contains some 9,000 volumes. The number of volumes issued during the year was 23,031. School books are taken by 349 who do not attend the school and of these eighty-two volumes are German, Spanish, French, Italian, Latin, Greek and Swedish text-books. The superintendent of the State prisons of New York in his report for 1889 states that "the requirements of the law that instruction

shall be given in the useful branches of an English education to such prisoners as may require it and be benefited by it in the judgment of the prison wardens and chaplains is fully met." Similar reports are made as to the work of this character done in the Joliet, Eastern Pennsylvania and other State prisons.

The system in actual operation in all but some Southern States is that known in the Northern States as the Auburn system, the principal features of which are, separate cells by night and associated labour by day. Mr. Hastings H Hart, secretary of the Minnesota State board of corrections and charities in a pamphlet published in 1890 says: "When it is combined with a suitable labour system, that is a system of productive labour such as will train men to earn their way outside, it affords opportunity for reformation, though the system has little reformatory power in itself. In most cases the system has been supplemented by good time laws, under which prisoners earn a reduction of their sentence by good conduct and in some states prisoners are allowed a portion of their earnings on condition of good conduct. These laws promote good discipline but do not ensure reformation. The worst men often make the best convicts, earn all of their good time and go straight back into crime. Many go out of our state prisons reformed men but their reformation is not generally due to anything inherent in the system. The reformation of state prison convicts is largely dependent upon the personality of the officers of the prison. A warden who cares nothing about his men, a tyrannical, heartless deputy-warden, or a perfunctory chaplain stands directly in the way of every renovating influence.

"In some state prisons as in Ohio, New York and Wisconsin, the parole system has been introduced with a system of marks and grades. The results have been very encouraging. The laws of Wisconsin and New York have gone into effect within the past two years and are not yet fairly in operation. The Ohio law has been in operation since 1885. The convicts are divided in three grades as at the Elmira reformatory and are marked on their conduct, their labour and on school or normal progress, and those who have not previously been convicted of any felony may be discharged on expiration of the minimum sentence provided by law for their offence subject to a return without trial if their parole is violated. Under the operation of this law it is claimed that the morale of the prison has greatly improved and the population has diminished. About 600 prisoners have been paroled and the board of managers report the most encouraging results in the way of reformation."

The good time law of Ohio provides that "from the first day of his arrival each convict sentenced for a definite term other than life, shall be entitled to diminish the period of his sentence as follows:—For each month, commencing on the first day of his arrival at the penitentiary, during which he has not been guilty of a violation of discipline, or of any of the rules of the prison, and has laboured with diligence and fidelity, he shall be allowed a deduction of five days from the period of his sentence." If he continue to conduct himself in the same manner he is entitled to seven days' deduction for each month in the second year, to nine days' deduction for each month in the third year, and of ten days deduction in each year after the third. For breach of rules or discipline, or for misconduct, he may forfeit "a portion or all of his time previously gained."

The Ohio law relating to parole of prisoners confined in the state prison, provides that the board of Managers of the prison "shall have power to establish rules and regulations under which any prisoner * * under a sentence other than for murder in the first or second degree, who may have served the minimum term provided by law for the crime for which he was convicted, and who has not previously been convicted of a felony and served a term in a penal institution,

be allowed to go upon parole outside of the buildings and enclosures, but to remain while on parole in the legal custody and under the control of the board, and subject at any time to be taken back within the enclosure of the said institution." Powers to carry out their regulations are given to the Board by the same section. One of the rules is that "no prisoner shall be released on parole who has not been in the first grade continuously for a period of at least four months." Another rule is that "no person shall be released on parole until satisfactory evidence is furnished to the board of managers in writing that employment has been secured for such prisoner, from some responsible person, certified to be such by the auditors of the county where such person resides."

When the commissioners visited Ohio, they found that there was much difference of opinion as to the working of the parole system in the Columbus penitentiary; but those who thought it did not work well attributed its failure to the manner in which it was administered. It did seem very improbable that the warden could form a proper estimate of the character of the prisoners or ascertain whether a reformation had really been effected in any case, where nearly 1,600 men were busily engaged in workshops extending, it was said, over fifteen acres of ground. And it was said that the Board of managers when considering an application for a prisoner's discharge on parole are often influenced by representations made from without.

The Board of managers of the state prison themselves say in their report for 1889:—

"The Board again desires to re-affirm its entire confidence in the parole law as a wise, humane and equitable enactment, full of encouragement and blessings to the prisoner whose reputation and good conduct merit recognition and assistance to regain his good name and position in society. The appreciation of those who have received its benefits, and the fidelity with which they have kept their pledge of honour is best shown in the fact that of the 535 prisoners paroled since the law went into operation in 1885, but forty have been returned for violation of the conditions imposed." They quote approvingly the statement made by one of the Board that "although under the laws and rules the Board have been at work for almost four years, not a line of either law or rule has been changed and we have no change whatever to suggest, and I cannot imagine any alteration or addition that would be of benefit either to the state or to the convict."

The Act passed by the New York Legislature in 1889, known as the Fassett Act, provides (section 74) that when any male person over sixteen years of age has been convicted of a felony punishable by imprisonment in a state prison the court may pronounce upon such convict "an indeterminate sentence of imprisonment in a state prison for a term with minimum and maximum limits only specified without fixing a definite term of sentence within such limits" The maximum term is to be the longest and the minimum term the shortest for which such offender might have been sentenced. Section 75 provides that the superintendent of state prisons, the agent and warden, the chaplain, physician and principal keeper of each prison shall constitute a board of commissioners for each prison. Section 76 provides that this board shall meet from time to time and at each meeting every prisoner confined in said prison on an indeterminate sentence whose minimum term of sentence has expired shall be given an opportunity to appear before such board and apply for his release upon parole or for an absolute discharge, and the board is prohibited from entertaining any other form of application or petition for the release upon parole or absolute discharge of any

prisoner. Section 77 provides that the superintendent shall cause to be kept in each prison a full and accurate record of each prisoner therein confined upon an indeterminate sentence, which record shall include a biographical sketch covering such items as may indicate the causes of the criminal character or conduct of the prisoner and also a record of the demeanour, education and labour of the prisoner while confined in such prison. When a prisoner is transferred a copy of this record shall be transmitted with him. Section 78 provides that the board, if there is a reasonable probability that the prisoner applying for discharge will live and remain at liberty without violating the law, may authorize his release upon parole on the usual conditions. If he violates those conditions he may be arrested and taken back to prison on warrant issued by the board or any one of its members and be held for such part of the maximum term of imprisonment as remained unexpired when he was released on parole. This goes much farther than the English ticket-of-leave system under which a convict is sentenced for a definite term and can earn only a limited remission of that sentence.

Mr. Hart tells us that, "In the state prison at Jackson, Michigan a very important and useful experiment is in progress. . . There has been no special legislation, except a law requiring that all of the convicts be sent to school; but the modifications in the system have been made with the concurrence of the Board of Inspectors under existing laws. Warden Hatch, who was formerly a prison contractor, holds the view that prison discipline has but one legitimate object, namely, the protection of society; and that the most effective way to protect society is to reform the prisoner. He holds that any means which have proved efficient to reform men outside are legitimate in prison." To this end, a mark system has been introduced, and every man is marked on a scale of ten on his studies and his conduct, which includes his efficiency in work. Every man who earns seven in studies and nine in conduct, enjoys certain privileges amongst which are the following: he substitutes a grey suit for stripes at the end of his first three months (this privilege is highly valued), he has the privilege of newspapers, letters, a weekly literary society, religious meetings three or four times a week, and an hour or two of liberty in the prison yard two afternoons in the week. Men who fail to earn these marks, and men who break the rules are deprived of these privileges. Those who join the literary societies must pledge themselves to use their influence in favor of good discipline and good morals. The religious work of the prison is carried on by a chaplain and assistant chaplain, who give their whole time to this work, and a Catholic chaplain who officiates regularly. . . The prison officers assert that no special favours are shown to convicts who interest themselves in religious matters. . . The visible results are *better work*—several of the contractor's foremen testify that the men work better than formerly— . . *better order* and an intellectual improvement. There were few dull, morose, or dogged countenances."

In nothing, perhaps, do American systems differ from the English more than in the extent of the discretionary powers given to the warden or chief officer. In Great Britain the discretionary power of the superintendent is very limited in the United States the warden manages the prison, its inmates, and its affairs pretty much as he pleases. Usually there is a board which is supposed to control him, but which in most cases is willing to authorize what he proposes, and to approve of what he does. Because of this freedom of action, and the diversity of management arising from it, a great many systems or modifications of systems, all more or less experimental are on trial, and it may be possible after a time to determine what is best.

Reformatories for Men.

It is difficult to ascertain what proportion of those who pass through the convict or state prisons or penitentiaries become reformed even to the extent of avoiding the commission of what is technically called crime. The estimates in which the managers of such institutions sometimes indulge, vary from fifty to seventy-five per cent., and some estimates are even higher. But all agree that the reformation of recidivists and habitual criminals is exceedingly difficult, and that comparatively few of that class ever do reform. Indeed, some go so far as to contend that the man who has been imprisoned several times is by nature so prone to crime that he cannot resist his evil inclinations, and that his reformation is, therefore, impossible. Deterrent and reformatory influences have most effect on those imprisoned for the first time, especially those who have not led a long career of vice and crime, but have been arrested for their first or second offence. A long and painful experience has also proved that of those imprisoned for the first time, many become thoroughly depraved, because in prison they are forced into association with old offenders whose every deed, and word, and thought is criminal.

A royal commission appointed, in 1878, to enquire into the working of the penal servitude Acts in Great Britain, made several valuable recommendations, the most important of which was:

"That in order to prevent contamination of the less hardened convicts by old and habitual offenders, a separate class should be formed of convicts against whom no previous conviction of any kind is known to have been recorded."

This recommendation was acted upon immediately. The report of the directors of convict prisons, for 1880-1, states that "these prisoners being selected after careful enquiries . . . were first sent to Millbank to accumulate until the numbers were sufficient to occupy a separate block of one of the public works prisons. . . And in November last 204 of these prisoners were transferred to Chatham prison, where they are kept entirely separate from all the rest of the convicts." The directors wisely concluded that the objects in view would be frustrated if all who were convicted a first time were to be admitted into this class, and they ordered, with the approval of the Secretary of State, that those whose crimes in themselves indicate a deliberate criminal course of life, such as those convicted of receiving stolen goods, and men convicted of unnatural crimes and indecency, whether previously convicted or not, should be excluded; those who, although convicted for the first time, were found, on careful enquiry, to have been leading criminal lives were also excluded. The men who were selected it was ordered should "be located in a separate hall prepared for their reception;" should be treated like all other convicts, only that they were to be absolutely and entirely kept separate from them, "so that at no time should they come into contact with them, directly or indirectly, either at work, at chapel, under punishment, or on any other occasion." With a view to ensuring this each of these convicts wears a scarlet star on his clothing and they are called "the star class." Subsequent reports state that the convicts of this class were more amenable to discipline than the others and were remarkable for their general good conduct. They do not, however, earn any more good service time than may be earned by the greatest criminals. The States of New York and Massachusetts, and afterwards other states, thought it better to establish separate prisons for first offenders and to call them by a different name than to assign a part of a State's prison or penitentiary to them: and the system adopted in these reformatories for men have the reformation of the criminals almost solely in view. Some

American penologists maintain that in such institutions there should be no purpose or thought of punishment for offences committed without. Colonel Gardner Tufts, of the Massachusetts reformatory, in a paper read at a meeting of the National Prison Association held at Atlanta, Ga., said: "With the past life and record of a prisoner a reformatory has no punitive business. For his offence he has been adjudged. His trial, conviction and sentence were the adjudication and the punishment of his violation of law, and by these the demand of justice was satisfied. . . The punishments of a reformatory should be restricted to infractions of its own laws. . . To doom the offender was the duty of the magistrate, to rehabilitate him is the commission of the reformatory."

The reformatory at Elmira, N.Y., of which Mr. Z. R. Brockway took charge in 1876, and which, to a great extent, is of his creation, is the best known and in many respects the most remarkable of American institutions of this class. When the commissioners visited this institution they saw everywhere evidence of discipline, good government, energy, vigour, life and progress. In the grounds, the workshops, the offices, the dining rooms, the cells, the school rooms, chapel and gymnasium, the keenest criticism could discover nothing to find fault with. But what they especially admired was the quiet, manly demeanour of the men of the first and second class, and the air of self-respect, without the slightest show of self-assertion, with which they underwent the inspection of the visitors. They looked like a body of particularly intelligent, respectable workmen in an ordinary factory, and one of the commissioners expressed the opinion, in which the others concurred, "that if the doors were thrown open then, two-thirds of these young men would never again do anything to deserve imprisonment."

The substance of the statement made by Mr. Brockway is that, this differs from the other prisons of the State in the selection of a special class of prisoners to be treated, viz.: Males to the exclusion of females; felons to the exclusion of misdemeanants and men supposed to be first offenders in felony, although they might have been in a house of refuge, or guilty of a misdemeanour. They must be between sixteen and thirty years of age. Then as to the men sent to the Reformatory the judge does not determine or name the periods of their detention. The law fixes the maximum and the minimum penalty that may be imposed for each offence. In other cases the judges determine what the penalty within these limits shall be but not when a prisoner is sent to this reformatory. "Another difference is in the system of treatment which has been termed the disciplinary system and which is based upon the system of indeterminate sentences. There is a marking system under which the most minute record is kept of a man's performances and progress and demeanour and industry, instructive or productive, as the case may be, and of his mental growth indicated by his work at the schools. . . The next distinguishing feature is in the efforts made for the education of the men here—in the schools. Every inmate upon admission is assigned to his appropriate place in the grades school and is assigned school tasks under competent teachers who instruct him under the oral system. The prisoner is subjected to monthly written examinations and a failure to obtain the minimum percentage required, involves loss of time, as does failure in demeanor, or in the trade's school examination; or properly, in the industrial results. Latterly, a difference had come to exist, because of the military government of the whole place and the organizing of the inmates into a regiment with a complete complement of officers. Out of this had come a new disciplinary government in which inmates of the advanced grades placed under parole are appointed monitors and overseers in place of citizens previously employed. Another distinguishing feature is the instruction given in trades. Every man

on his admission is assigned to some mechanical instruction, as well as to a place in the school. A careful enquiry is made into the natural adaptation of each man for some particular place in the world's work, as to his possible introduction into an industry upon his release, as to the employment of near relatives and as to the general class of industry carried on in the community to which he would probably go. Here the prisoner proceeds upon a formulated outline, each trade having several subdivisions and a number of lessons assigned to each. Failure to pass monthly examinations in these results in loss of time. The newest feature that distinguishes this reformatory is the attention given to the physical training of defectives with a view to bringing about a better mental state and capacity in the expectation of course that broad scientific treatment based upon better physical condition is the vehicle for instinctive moral impulse. For this a building and apparatus have been provided on ground measuring 80 feet x 140 feet, with Turkish bath, plunge bath, and a complete apparatus for a gymnasium. This is no mere amusement for the inmates, but is a complete system of scientific renovation for those who may need it. It ought to be stated for the sake of emphasizing the difference between this and other institutions, that this reformatory deals with a selected class of inmates on the so-called indeterminate sentence system from an educational and disciplinary point of view, and it is distinguished from the average prison in the most important particular, that under the law of discipline the matter of retribution is left out and the whole treatment of the prisoner is remedial. We have at the present time considerably over a thousand inmates."

The statute simply provides that the reformatory shall be conducted on a non-partisan basis, and then in the most broad and general terms, the board of managers are authorized to establish a mark system, and to use any measures they deem to be requisite for carrying on the work of the institution. The members of the board are appointed for five years by the Governor of the State, and they appoint the superintendent. The board, on the information supplied by the officers, determine when a prisoner has become reformed. The board hold a meeting and a parole court once a month. They do not interfere much in the management. They receive no pay. The judges were at first unwilling to send prisoners to the reformatory. Now they send too many.

Of the educational system at Elmira, Mr. Brockway said, "The principle that underlies it, is, that every inmate should be assigned an intellectual task intended to engage his intellectual powers and to carry forward his intellectual development to the utmost. The primary work is of the usual rudimentary description, suitable to awakening the intelligence of the inmates of the lowest standard. Some exception might be taken to our literary class, or political economy and science classes. The intention of these is to engage the more educated men and to occupy their time. In a reformatory process the first thing to do to a young criminal is to eradicate his criminal activity.

To do that, you have to resort to a highly organized system, but this is not enough. You have made it impossible or impolitic for him to exercise his *finesse* in any habits that tend to develop criminality, but you must get activity of another kind in its place. To do this you must engage his whole time. If you occupy a criminal half the day and then leave him idle the other half day, all the good you accomplish may be practically undone. Therefore he should be awakened to the bugle note. We don't allow our men to get up until the bugle is sounded, whether they are asleep or not. From this time their activity should be employed in a series of educational and industrial departments. Now, proceeding from the upper division of our school, we start at perhaps a percentage in arithmetic and carry our pupils all through arithmetic to mathematics; then we give them American history, especially the growth and influence of civil institutions, and we give them education in business, law and science. We take up English literature, including a historical survey of the influences that have modified English and Amer-

ican thought. Biography, all the great authors, and a critical reading study of the representative master-pieces for the acquisition of thought and the elevation of literary taste. Political economy, tracing the growth and characteristics of industrial society, and study of the principles applicable to economic life in the present condition of society touching production, distribution, exchange and consumption. Higher arithmetic, algebraic processes, and geometric principles, such as are necessary for the prosecution of advanced work in the practical courses of science. We have stenography, type-writing, telegraphy, ancient and mediæval history, confined principally to the great peoples of antiquity, and to those civil institutions of later times which have exercised an influence on the progress of humanity. Practical ethics: This branch taking for its subject that which every other study in the course is intended to indicate, and for which all our reformatory agencies prepare the pupil, "right living." This is the purpose we have in view and it is kept constantly before their minds. By these compulsory studies, when they are members of the community again, they will understand more or less our organized society, and the studies themselves enlarge a man's conception of himself.

Mr. JURY. Q. Who is the teacher in political economy? A. Judge Dexter is lecturer in political economy.

Q. Does he take his own political economy? A. He takes the standard works.

Q. How often does he come here? A. Once a week. We have also, I may say, a course in physical geography—a course of forty or fifty lectures. During the summer time, that is now, they are occupied on mediæval history, and they have had American history in the lower classes. So this is how the mind is reached by a new and higher conception of things, but I think that perhaps the most useful of our classes is the Sunday morning ethical class.

Q. What do you teach utilitarian morals? A. We have different questions; one of the last was right and wrong competition.

Q. In reference to the manual training in the schools, how would you determine a man's capacity? A. It would be comparatively easy to determine that either by studying a man's capabilities or the social characteristics of the community in which he lives.

Q. How wide would you extend the range of the subjects? A. I would extend it all the range of a man's faculties.

Q. How many have you in the higher classes? A. In the upper division 500.

(The Commission were shewn over the reformatory by Mr. Brockway and its principal features—educational, disciplinary and industrial—were explained and illustrated. Mr. Brockway described how, first when the prisoner enters the establishment, a complete diagnosis is made of his physical, mental and moral condition; how his antecedents are enquired into, the habits and occupations of his parents and grandparents if possible—whether they were temperate or intemperate and living honestly or dishonestly, cleanly or otherwise, the home life of the man himself, his age when he was cast adrift upon the world, his habits and associations up to the time when he committed the crime of which he is convicted; his physical condition, his inheritances, his physical texture are all examined; the state of his education, his sensibility to shame, his susceptibility to praise or blame—all these are entered in detail upon the page of a big ledger which was opened for the inspection of the Commission. At the bottom of this extensive entry there was another by the Superintendent himself, giving the heads of the proposed system of treatment. Then Mr. Brockway explained how the man is, after this, put into the intermediate grade and shewn that it depends upon himself whether he goes up or down. He is placed in the class most fitted to his capacity and acquirements, is tested at every stage by the mark system in operation here. He is furnished with a complete copy of the rules, and his subsequent conduct is entered in a separate account which is kept in another big ledger. The distinguishing marks of the different grades were pointed out. The first grade men were seen wearing their light blue uniform and smart military cap. They occupy better cells than the others, dine together in a large mess-room at small tables and are permitted to talk freely and spend the noon hour in a social way. They march in columns of four and are officered by captains and sergeants chosen by the Superintendent from their own number. Members in the corridors, clerks and officers for the next grade are chosen from amongst their number. The second grade wear a dark uniform and Scotch caps, march in columns of two and take their meals in cells, and have in general less privileges than the 1st grade, and these in the third grade wear suits of red clothes, eat in their cells and are commanded by officers of the institution. They are subjected to the restraints and rigor of prison life. Dr. Wey, the surgeon of the institution, explained the system of scientific physical training adopted in the gymnasium as the Commission were shewn over that building. A considerable number of the defectives and dullards, the proclivities, Mr. Brockway remarked, from which the regiment is evolved were put through their exercise in the presence of the Commission. The physical man who is defective has to undergo a process of renovation by baths and massage and proper diet and is put

through a course of muscular training by means of complete scientific apparatus under a fully qualified instructor. The regiment, over 1,000 strong, was mustered in the square, paraded in full dress and badges with accoutrements and attended by the band and drum corps. Mr. Brockway explained the system of drill, and explained how gradually the government of the place had become a military government, the military organization having been made necessary by the stoppage of the branches of labour mentioned in his evidence, in obedience to the law of 1888; but he says that the military regime has been found serviceable in every way. The health, bearing, mental tone have been improved, and the disciplinary defects have been diminished and have almost entirely disappeared. In his opinion apparently the military government of the reformatory is indispensable to satisfactory management. The Superintendent also stated amongst other things that the military drill was conducted under an efficient instructor from the United States Military College. Courts martial and a weekly officers' class for the study of tactics are held under the direction of General Bryan.

A report of a committee of the N. Y. Legislative Assembly made in 1882, says, "The courts are expressly prohibited from fixing or limiting the duration of such imprisonment (in the Elmira reformatory). The power of limiting and terminating such imprisonment is vested solely in the managers of the reformatory subject only to the restriction that such imprisonment shall not exceed the maximum term provided by law for the crime for which the prisoner was convicted and sentenced . . . Under the marking system adopted prisoners are credited three each month for good conduct, three for approved proficiency in school and three for satisfactory performance in labour. They are likewise debited with deficiencies in conduct, school and labour. Any prisoner gaining twelve successive nines, *i.e.*, three for conduct, three for school and three for labour for twelve successive months may, in the discretion of the managers, be released upon parole and engage in employment away from the reformatory, and at the end of one year and a-half from the time of his commitment may, if his conduct is in all respects satisfactory, be discharged absolutely. The prisoners are classified into three grades, and all prisoners at their entrance are placed in the second or intermediate grade. If they then fall below the standard requirements for conduct, school and labour, they are reduced to the third grade; if they attain to that standard and gain six successive nines they are promoted to the first grade. They are liable at any time to be reduced or promoted within the limits of the three grades according to their merits or demerits. It is easy to see that this system might be so administered as to become in the highest degree oppressive and exasperating to the prisoners. Under severe and exacting officers who should require all prisoners to conform in all respects to the same inflexible standards regardless of the constitutional differences or acquired capacities of the prisoners the system would become a terrible machinery of oppression and injustice, fruitful in the more refined but none the less inhuman forms of cruelty. Nor would it require any infusion of malice, prejudice, mercenary interest or other evil purpose into the management to produce this evil result The simple ignorance, inadvertence or incapacity of the officers charged with the administration of this system would with equal certainty lead to this species of cruelty, and the effect would be to excite a spirit of discontent, a rankling sense of injustice and a spirit of insubordination or sullen resistance to authority. Under such a system so administered it would be vain to look for the reformation of offenders"

The Act of the N. Y. Legislature, passed in 1877, provides that the board of managers shall have power to transfer temporarily, with the written consent of the superintendent of prisons, to either of the state prisons, or in case any prisoner shall become insane, to the convict asylum at Auburn, any prisoner who subsequent to his committal shall be shown to have been at the time of his conviction more than thirty years of age, or to have been previously convicted of crime, and may also so transfer any apparently incorrigible prisoner whose

presence in the reformatory appears to be seriously detrimental to the well-being of the institution; and such managers may by written requisition require the return to the reformatory of any person who may have been so transferred." This was re-enacted in 1887. According to the report of 1889 the number sent to the state prisons in that way during the thirteen years of the existence of the reformatory was 200.

The means of reformation employed in this institution are chiefly physical and intellectual. Religious influences are little relied on and are almost lost sight of. For some years a Protestant chaplain was employed, but there is no longer a regular Protestant chaplain, and the only religious exercises in which the Protestant prisoners join—the only time they receive religious instruction of any kind—are on the Sunday afternoons when all are required to attend a religious meeting, and the minister especially invited for the day holds a service and preaches a sermon supposed to be unsectarian. On Sunday forenoons a class in ethics not essentially Christian is held. A Catholic priest attends on the third Saturday of every month, to hear confessions, and on the third Sunday celebrates mass and preaches; and on the second and fourth Thursday evenings gives an hour's instruction in Christian doctrine. As in several other U. S. institutions he receives no remuneration for these services.

It is difficult in this as in other cases to ascertain how many are reformed. Of the 288 paroled in 1889 the superintendent calculates that 233 or 80.9 per cent. were reformed, but this is merely an estimate. Mr. Round, secretary of a New York prisoner's aid association reports, "We received (of the men paroled from Elmira) 76 in 1880, nine are not reformed. In 1881 we received 99, ten were not good; in 1883, 109, 13 gone wrong; in 1884, 121, 13 gone wrong; in 1885, 10 gone wrong; in 1886, 10 gone wrong, in 1887, we received 86 and but three of them have gone wrong."

The standard of reformation is not very high. In his address at the congress of the National Prison Association, held in Toronto, Mr. Brockway said:—

"I would like to say, for fear that the discussion may take a range that it will not if I make the statement that there is a mistaken notion about the significance of the term reformation in the view of a State government. It is not to make an angel. Our criminals are defined to be men non-adjusted or mal-adjusted—out of relation. Either they never were in a proper relation or they have been in a proper relation and gotten out of the established order of the community in which they resided. The work of reformation is to adjust or readjust as the case may be, and when that is done effectually, reformation in the State sense may be said to have been accomplished. That is the sense in which we always use the term." And Mr. Eugene Smith, Secretary of the N. Y. Prison Association says, "Reformation in the penological sense does not imply any religious transformation in the convict; it does not indicate that he must be born again either morally or intellectually, or even be lifted above the capabilities originally implanted in him. A convict is reformed when he has undergone such a change that being entrusted with freedom he will not again commit crime. This is the sole and entire meaning of reformation as an end sought by the State in its treatment of convicts. . . . When a convict has become simply and permanently a law-abiding subject, the State has accomplished its whole aim and duty and is done with him. Its jurisdiction reaches no further. . . . In our daily walk in life we meet men who are at heart not less lustful and vicious, not less cruel or brutal than the most hopeless convicts at Sing Sing; but these men avoid violating the penal code, they do not belong to the criminal class. The real difference between the criminal and the non-criminal is one not

of degree but of kind and quality. The criminal has got out of relation to the established order of the community in which he lives; he lacks prudential balance, lacks power of self-control; his will is unstable and his whole nature clouded by morbid notions of life."

The Massachusetts State reformatory for men is managed on somewhat different principles. All prisoners sent to it are under indeterminate sentence. Any man guilty of an offence bringing him within the provisions of the statute may be sent to this reformatory by any court or magistrate of the state, and persons sentenced to other prisons may be removed to this by order of the commissioners of prisons. Two classes of offenders are admitted to this institution—misdemeanants, that is those convicted of drunkenness, idleness, vagrancy or stubbornness, who may be held for two years; and felons, including those convicted of larceny, embezzlement and other serious crimes, who may be held for five years. Those over 15 years of age and under 40 who have not been convicted more than three times may be committed to it. Every prisoner enters the second grade as at Elmira. He may earn five credit marks each day, and if he earns 850 marks in six consecutive months he is promoted to the first grade. For imperfection in conduct, lack of industry in labour, or want of diligence in study he loses as many marks as the superintendent thinks fit. If a prisoner in the first class fails to obtain 125 credit marks in a month he is degraded to the second; if a prisoner in the second class fails for two consecutive months to obtain 125 marks per month he is degraded to the third class; if a third class prisoner fails to obtain 100 credit marks each month for three successive months he receives such punishment as the superintendent with the approval of the commissioners may prescribe. Five marks every day or 150 marks in one month may advance a prisoner from the third to the second grade. When a prisoner has been for five consecutive months in the first grade with a perfect record, and has the required percentages in the school, his name may be presented to the Board for their consideration, together with any facts in possession of the superintendent which will tend to show the character of the prisoner and any opinions which he may have as to the prisoner's fitness for release. The Board take into consideration the reformatory record and the facts and opinions presented by the superintendent and the history of the prisoner before his commitment to the reformatory, and if they think the case one in which release may be granted, they will see the prisoner, ascertain his plans for the future and his prospects for work, and from all form their judgment as to the advisability of releasing him. In most cases the prisoners are released at the end of their term. The commissioners visit the reformatory and hold court once a month. No person outside is consulted as to the expediency of releasing a prisoner. Only those in the first grade are released before the expiration of the maximum term. The standard to be reached before presentation for permit is not necessarily high or difficult to attain, nor are the conditions of release severe. They are easy of performance and such as promote the welfare of the individual. If a prisoner violates the terms of his parole he may be arrested and taken back to the reformatory on warrant of the commissioners. The men in the first grade wear a blue uniform; those in the second, black; those in the third, red. The first grade men are allowed to write letters every week; the second grade men, every second week; and the third grade, not at all. Those in the first grade may be visited by their friends once a month; those of the second grade, once in two months, and those of the third not at all. Those in the first and second grades may receive fruit on Saturdays; and on Sunday afternoons the first grade hold meetings, at which any entertaining subject may be discussed and they get some nice singing. The superintendent was unable to say what proportion of those discharged lead good lives afterwards

but about 12½ per cent. return to the reformatory. He thinks the tendency of the system is in the direction of moral reformation. They try to put all the good they can into these people, and to make them good men by good treatment, good food, and good physical training. Mr. Tufts thinks that he and his assistants gradually probe a man's character to the bottom and know pretty nearly what he is. The prolonged imprisonment usually has a good effect on those committed for drunkenness. A man may be committed for drunkenness on a third conviction, or if any one will swear that he has seen the man drunk three or four times within a year.

Several industries are carried on. Boots and shoes, chairs and clothes are made on the piece price system. Instruction is given in printing, engraving, bricklaying, plastering, carpentering and other work. The cells are fitted with chairs, tables and a curtain at the door. The men are called at 6.30 a.m., breakfast at 7, begin work at 7.30, take dinner at 11.45 to 12.30, stop work at 5 p.m., take supper at 5.30, and are allowed to read, and in winter to keep gas burning until 9 o'clock. Books are given out of the library twice a week. The education of 650 men, many of them from the illiterate classes, is a serious matter. "Regular branches of study" are taken up and many of the prisoners are quite advanced. The schools are held in the evenings and are conducted by a superintendent and nine teachers. Half of the teachers are ex-prisoners employed by the institution after their term had expired. Music is taught and each school room is furnished with organ or piano.

In this institution religious influences are much valued. A chaplain, called a moral instructor, is constantly engaged. A Catholic priest attends on what may be called the usual terms. Religious services, Protestant and Catholic are held on Sundays; the Catholic service at 8.30 in the morning. There are religious classes, Protestant and Catholic, the older prisoners instructing the younger ones, and a bible class conducted by a young lawyer from the town, and then the general service conducted by the chaplain, attendance on which is compulsory. The Catholic priest knows his own men and goes amongst them when he is so inclined. There never is any difficulty in that matter.

A peculiar feature of this institution is the societies which the men are allowed to organize, choosing their own officers and conducting their proceedings without the presence of the officers of the institution. Frequently as many as 300 men meet without an officer except those chosen by themselves. They hold interesting discussions and preserve excellent order. One is a Young Men's Christian Association, which was begun as an experiment, and which now carries on work of a religious character. Then the Catholics formed a religious society of their own. They had a literary and scientific society, a Chatauqua, a temperance and other societies, all meeting on different evenings of the week and all doing manifest good.

The conditions under which Mr Tufts works are much less favorable to the production of striking results than those under which the Elmira reformatory is conducted. The limitations of age are not the same. At Elmira all are convicted for the first time; at Concord several have been more than two or three times convicted. At Elmira the maximum term is in all cases long, and the average length of imprisonment was 20 months in 1889. At Concord many of the inmates are misdemeanants whose maximum term is but two years and the average term is comparatively short, and a large proportion of the inmates of the Concord institution are habitual drunkards. It is to be expected therefore that there should not be the same appearance of strict discipline at Concord and that

the recidivists there should be numerous. Some think it a fault in Mr. Tufts' administration that he treats those committed to his care with a kindness that is almost indulgence.

Other States have followed the example of New York and Massachusetts in providing reformatories for men. Ohio, although the parole system was introduced in her State prison five or six years ago, is now erecting at Mansfield, a large and handsome building to be managed nearly on the principle of the Elmira reformatory. Every one who has given much attention to what passes in Canada must feel that such an institution is much wanted here. To compel young men, who in a moment of weakness have committed a crime, to herd for years or even for months with depraved and hardened criminals is to destroy every vestige of their self-respect, and, in most cases, to doom them to a life of crime and infamy. During the past five or ten years how many have there not been in the penitentiary and in the Central Prison who might have been saved did a properly managed reformatory for men exist in this country. A knowledge of the awful consequences that are almost sure to follow imprisonment in the penitentiary or the Central Prison often embarrasses the judge or the magistrate before whom a young man is tried for what perhaps is really his first offence, for what in all probability would be his last offence if a chance of reformation were given him; often influences the verdict of juries and thus affects injuriously the whole administration of criminal justice. What has been found necessary in Great Britain and the United States is as necessary in Canada. It is the duty of the Dominion government and parliament to provide such an institution, and as soon as possible. One would be sufficient for the whole Dominion for many years to come. Properly located, properly constructed and properly managed, it need not add materially to the cost of guarding, maintaining and caring for criminals guilty of the more serious offences which now devolves upon the Federal government. Without the earnest co-operation of that government comparatively little can be done to promote the cause of prison reform in this country.

The Indeterminate Sentence.

In the United States the system of indeterminate sentence and parole combined is regarded as absolutely essential to the successful management of a reformatory. Juveniles who commit offences of a certain gravity become wards of the State and remain under the guardianship and control of the State Board appointed for the purpose, until they have attained their majority or have given satisfactory evidence of their ability to take care of themselves. Adults placed in a reformatory are enabled and encouraged to earn their release absolute or on parole, by good conduct and attention to and proficiency in work and study. The hope of regaining liberty is in all cases found to be the best and surest incentive to such reformation as the State seeks to accomplish. It is said that the chief effect of the system is to create hypocrites and that the most vicious and depraved men who have no other thought than that of returning to their old ways and then more skilfully eluding justice, are generally the best prisoners and earn their discharge most speedily. Even those who urge this objection are forced to admit that the hope of release does much to promote discipline, and habits of cleanliness, order, and industry; and the advocates of the system maintain that the officers of a reformatory, if fit for their position, can almost invariably discover whether a prisoner is a hypocrite or really desires to lead an honest life when restored to liberty. It may be true that the number who are really reformed under any of the systems now in operation is much smaller than the superintendents and boards of managers estimate. But on the other hand few are now found to maintain that

any considerable number of offenders can be thoroughly reformed under any system from which the indeterminate sentence and the remission of penalty by parole or otherwise is wholly excluded.

Who first suggested the indeterminate sentence as a means of reformation is a question that has given rise to some controversy. It is generally believed that the idea originated with Archbishop Whately of Dublin, who in a letter addressed to Earl Grey in 1832, commenting on an article which had appeared in a London review said, "It seems to me reasonable that those who so conduct themselves that it becomes necessary to confine them in houses of correction should not be turned loose upon society again until they give some indications that they are prepared to live without a repetition of their offences." He suggested that a prisoner's earning a certain amount of money should be regarded as one proof of his reformation. In one of his lectures on political economy, the Archbishop suggested what he considered a most important improvement in regard to the treatment of convicts. This was that instead of a certain period of time, a convict should be sentenced to go through a certain quantity of work; that a computation should be made of the average number of miles for instance, which a man sentenced to the tread-wheel would be expected to walk in a week: and that then a sentence of so many weeks' labour should be interpreted to mean so many miles the convict to be released when, and not before, he had "dreed his weird." In the same manner he may be sentenced to beat so many hundred-weight of hemp or dig a ditch of certain dimensions. . . . . The great advantage resulting would be that criminals whose habits probably had previously been idle, would thus be habituated not only to labour, but to form some agreeable association with the idea of labour Every step a man took on the tread-wheel, he would be walking out of prison; every stroke of the spade would be cutting a passage for restoration to society." The Archbishop's ideas which were still rather crude, do not appear to have made much impression then, but they bore fruit in time. Some time after, Captain Maconochie finding that the reforms he had introduced in the government of the convicts of Norfolk Island were not as effectual as he expected, although they did work a vast change for the better, proposed that criminals instead of being sentenced to imprisonment or transportation for a period of time, should be sentenced to earn a certain number of marks In 1839, Mr. Frederick Hill in his fourth report on Scotch prisons said "As regards the question how are convicts to be disposed of after their release from prison, supposing transportation to be abolished, I would humbly suggest that those whom from the nature and circumstances of their offences as shown upon their trial, there can be no reasonable hope of reforming, should be kept in confinement during the remainder of their lives. The severity of their discipline however, being relaxed in various ways which would not be safe were it intended that they should return again to society." In his report for 1843 Mr. Hill said, "there are persons who are wholly unfit for self-government and who should be placed permanently under control" In 1846 a draft report on the principles of punishment submitted to "the society for the amendment of the law" said "the right to isolate an individual from society is founded on its being repugnant to the welfare of the one or the other of the parties or of both that they should be together until a change is wrought in the individual If however, he is so constituted as to resist this beneficial change, the reasons for retaining him in a state of separation instead of being removed gather strength There is often however a wide interval judiciously left between theory and practice. It is by no means necessary to the practical adoption of the reformatory principle that it should be carried into extremes. Every sentence might still be for a term of imprisonment measured by time, if that term were always made of sufficient length to enable every

prisoner to work his way out of gaol by conduct and industry before its expiration. The consequence of this arrangement would be that resistance to reformation would only postpone the liberation of the prisoner for a time certain and no for an indefinite period." In 1856, Mr. Stuart Wortley, then Solicitor-General for England, in his evidence before the transportation committee, said that in all cases he thought hope of liberation should be held out to prisoners, but if they would not avail themselves of the opportunities of earning their freedom, he was "prepared to face the question of confining them for the whole of their lives like lunatics." The best method of dealing with convicts was about that time a question of grave importance in Great Britain. Mr. Matthew D. Hill, Recorder of Birmingham, who was an earnest and able advocate of prison reform, speaking in a charge to the grand jury in October, 1855, of the proposed abolition of the ticket-of-leave system, said that "this system embodies two most salutary principles: first, that the criminal should have the opportunity of working his way out of gaol; and second, that he should for a limited period be liable to be deprived of his liberty so regained, if his course of life should be such as to give reasonable ground for belief that he had relapsed into criminal habits." He contended that the opportunity of earning a remission of a part of the crime penalty should not be confined to convicts as it then was, but should be extended to those not liable to transportation or penal servitude. But to render this possible he thought the hands of the government should be strengthened, so that all convicted of crime may be retained in custody, "until they have by reliable tests demonstrated that they have the will and the power to gain an honest livelihood when at large . . until the convict ceases to be a criminal, resolves to fulfil his duties both to God and man and has surmounted all obstacles to carrying such resolutions into successful action. . . You keep the maniac in a prison which you call an asylum, under similar conditions; you guard against his escape until he is taken from you, either because he is restored to sanity or has departed to another world. If innocent misfortune may and must be so treated, why not thus deal with incorrigible depravity?" Such arguments had little weight at the time, because it was difficult to satisfy the British public that means of protecting it from the incorrigible criminal could be found and that the system of indeterminate sentences would work to that end not only by reforming those who had some good left in them, but by placing the wicked where they could no longer work evil. The system of enabling convicts to earn by good conduct a sort of limited freedom for a part of the term for which they were sentenced to penal servitude, having worked well in the Australian convict settlements was introduced in the British convict prisons. This gave the sentences a somewhat indeterminicharacter, although they were imposed nominally at least for a definite period and the extent to which they could be reduced by any effort of the prisoner was strictly limited. This was the first step taken towards the system now known as that of an "indeterminate sentence." The experiment was far from successful for a time in England. Neither the conditions on which a ticket of leave should be granted, nor those on which it should be held were enforced and a number of the most atrocious criminals were let loose on society. The number of that class probably was much smaller than was generally imagined, but the dread of the ticket-of-leave man spread over the whole country. Sir George Grey explained the cause. Those sentenced to seven years' transportation could obtain their tickets at the end of three years and those sentenced to ten at the end of four years. Theoretically, the convict was required to earn the remission by good conduct. Practically, the instances in which the ticket was withheld even for a short time were very few. Sir George said, "but the test of good conduct in prison is necessarily imperfect; the mere fact of a man's good conduct when he

is removed from the ordinary temptations of life, placed in an unnatural position and required to conform to prison rules, to be industrious in the occupation assigned to him and to be respectful to his superiors, affords no proof of actual improvement of character or of moral reformation." The impression that only those who proved that they were reformed obtained tickets-of-leave, he declared fallacious. He further said, "habits of regularity, cleanliness and decorum acquired in prison may exercise a salutary influence on the convict's subsequent life. But until he is again subjected to temptation, there is no means of determining whether his good conduct in prison was not the result of the compulsion imposed upon him or even of his desire to obtain his freedom as soon as possible, with a view to enable him to return to his former life of crime." Mr. Hill commenting on this in his charge of March, 1857, said, "The problem is so to train the prisoner as to endow him with the faculty of resisting temptation. To acquire this faculty, the danger of his doing wrong must be encountered. Let the prisoner be gradually and discreetly inured to the trial while we have him under control. Let us observe how he passes through the series of tests to which he will be exposed and which are to be carefully graduated to his increasing power to support them. Let us do this before we abandon all control over him—before sending him forth as we do now, from a state in which he can exercise no will of his own, to one in which he is released from all restraint." This is what is sought under the systems now in operation in the United States.

The parliamentary committee appointed to enquire into the working of the ticket-of-leave system, recommended that it should be extended to those sentenced to penal servitude and that new terms of penal servitude should be created suitable to a class of slighter offences in order to give to minor offenders the benefits of the ticket-of-leave. They were satisfied apparently that, as one witness said, "no incitement can be held out to prisoners which will bear any comparison for efficiency in stimulating them to good deeds with that derived from the expectation of restoring them to freedom, or as another said that 'no adequate substitute for the hope of liberty can be devised. It is the love of liberty which lies nearest to a prisoner's heart and which will ever be the cheapest and the best reward for exemplary conduct.' The committee in their report said, "There is reason to believe that the conduct of a large portion of the whole number of persons discharged upon tickets-of-leave has hitherto been good and in other cases persons so discharged have relapsed into crime from the difficulty arising from their former characters becoming known of procuring or retaining honest employment.' They also recommended in effect, that the sentences of minor offences should be lengthened in order that prisoners convicted of such offence may have the benefit of the ticket-of-leave and of the reformatory treatment proposed by the committee. The principal recommendations of the committe have since been carried out, but the English ticket of leave sytem, even in its present form is scarcely regarded as an indeterminate sentence system.

Under an old law of Spain criminals enjoyed the privilege of improving their position while in gaol and of shortening their terms of confinement by the exercise of industry and self control. It was by a judicious use of the means thus placed at his disposal that Montesinos wrought a wonderful change in the prison at Valencia of which he was appointed Governor in 1835. The prisoners numbered some 1,500. The recommitments were from 30 to 35 per cent and the prison was a pandemonium. Within a few years by strict discipline, by active employment in the industries which he introduced and in which he gave the prisoners a personal interest and by the use of a system of rewards he made this one of the model prisons of Europe, re-commitments becoming almost unknown

Strange to say the Cortes passed a law depriving the governors of prisons of the power given by the old law and requiring that the sentence pronounced by the courts should in all cases be fully carried out. The consequence of this in the Valencia prison, was a relapse into a condition almost as bad as that which existed when Montesinos took charge of it. The work of Obermaier in the convict prison at Munich commenced about the same time and conducted on similar principles was also remarkably successful. To this prison some offenders were sent for a fixed period and some for a period unfixed or indeterminate, that is without limit of any kind. The punishment of penal servitude we are told "is never awarded for life but either for a fixed number of years, not less than eight, nor more than twenty, or for an unfixed period. The criminal sentenced to penal servitude for a time not specified, may, after sixteen years imprisonment, expect his liberation on the conditions named. These conditions are, that during his incarceration, or at any rate for ten years he has shown continually extreme industry, that he has not incurred punishment for malice or insubordination and that he has otherwise given proof of his reformation. Offenders sentenced to fixed terms of penal servitude or to the house of correction can under the same conditions, shorten their terms of punishment and may expect that mercy will be extended to them after having been imprisoned three-fourths of their time." These terms seem exceedingly severe, yet the hope of shortening their period of imprisonment, even on these terms has a most salutary effect on the prisoners. The discharge of a prisoner is absolute in every case as there is nothing in the prison system analogous to the ticket of leave or parole system.

Mr. Z. R. Brockway in the paper he read at the Toronto Prison Congress said of the indeterminate sentence system "In this country attention was first directed to it immediately after the National Prison Congress of 1870 at Cincinnati where in connection with another question the subject of the indeterminate sentence was fully presented, but it was voted a scheme of the cranks and was dropped until the three-year law—the first enactment at all embodying the principle that I know of in America was passed in Michigan—a law that fell into disuse a number of years ago. I think it is in force in one county at present, the county in which Detroit is situated. In 1876 I went to Elmira full of the idea of the indeterminate sentence for the reformatory. I prepared a bill embodying the full idea of the indeterminate sentence." His board approved of the measure and they went to the Legislature with it but found it neccessary afterwards, to put in a maximum term in order to get the bill through without factious opposition. Ohio has now a similar law with some slight modifications. Some of the delegates said that Pennsylvania and Minnesota also have such a law. So as already stated has Massachusetts. Many theorists hold that there should be no limit to the term of imprisonment, but that on the one hand a prisoner should be released when he has earned the requisite number of marks and has given satisfactory evidence of reformation; and on the other hand no prisoner should be discharged until the board of managers see reason to believe that he is reformed. This is Mr. Brockway's opinion of what the indeterminate sentence should be He said in his Toronto paper: "Now then the true idea of the indeterminate sentence includes all classes of prisoners in custody, and without any maximum or minimum term. The indeterminate sentence, thus applied includes conditional release, and the marking system—they are inseparable. You cannot consider either alone, but together they form a system well adapted to reformative ends. The indeterminate sentence forms in the mind of the prisoner, and, which is more important, in the mind of the people after a time, the idea of correction for that of punishment. I am not going to abolish penal treatment

I do not propose to abate or at all modify the stringency of prison regulations, on the contrary, prison discipline would be rather intensified. Under the indeterminate law a man would not necessarily secure his release earlier than he could under the present system; he might be detained longer if it was necessary to put him through the thorough reformative course of treatment. The difference between the recognition by the prisoner of any sentence upon him, or of any penalty inflicted upon any citizen by law, or of any punishment inflicted upon a prisoner or child by any parent or governor, or his recognition of it as punishment, just punishment the proper pay for the thing he has done, or his appreciation of it, as the necessary pain or infliction to remedy that in him out of which has sprung the wrong conduct, or to prepare him so that he may live with reasonable safety among citizens, is very great. It is fundamental. I have no hope—yes, I have hope—that the man who has suffered the consequences of his wrong act, and views them as just punishment for it, may be benefitted, for he may for a time be restrained; but he is never a safe citizen, he is never a trustworthy member of the household. The memory of pain soon fades, and the penalty is not always sure to follow a repetition of the crime. But when one recognizes that his conduct is but the expression of a soul defect, that makes him unsafe in the esteem of his fellow-citizens, unsafe in the judgment of his parent to go out and do as others do, and when he receives discipline in that spirit, when he finds himself recovered and begins to get a rational confidence that he can go out, he is vastly more likely to get on than if he had been restrained through fear, which is always degrading. "The indeterminate sentence contributes to the idea of certainty, as opposed to severity, as a means of protection from crime through the operation of what we imagine to be—there is not very much of it—the deterrent principle." He thought the principle should be applied to misdemeanants also. He saw it stated, that in the year 1886, there were only 3,500 felons convicted in the State of New York, and there were 286,700 misdemeanants. The treatment of these misdemeanants is a most important question. "If they were committed indeterminately, and a thorough scientific (not sympathetic or revengeful) diagnosis were made—such as the Jewish guardians of London make of every case that comes before them—and then if he were treated scientifically, rationally, for the purpose of keeping him out of the criminal classes, we should have less of high crime outrageous crime than we have now, because out of our misdemeanants come almost all our felons. Another advantage of the system is that it centralizes the duty and the responsibility of determining the date of a prisoner's release. To prove that it is "utter nonsense to leave such questions to the court at the time of trial." Mr. Brockway stated that he was in court one day, when five felons were sentenced to the State prison for one, two, three, four and five years. He could not see any good reason for varying their terms and when the court rose he asked the judge what influenced him to send those men to prison for different terms, the judge replied, "Oh, ask me something easier, I don't know." Another effect of the system he said is, that it changes the attitude of convict and keeper which was inevitable under the old system. Another is that it centres upon the work on the "cure of the criminal" his heart in the prisoner, and his proper restoration to society. Another, that it facilitates the release of the prisoner at the best point of time and under the best circumstances. And another that it surrounds the prisoner with the strength of legal liability after his release. Finally said Mr Brockway, the indeterminate sentence is absolutely necessary to any effective reformatory system for it supplies the strongest and almost the only true motive that influences a man properly to deport himself, properly cultivate himself, properly prepare himself for free life.

Mr. Brockway describes the system as worked by himself and what he believes to be its effects. In this as in all other prison systems much depends on the mode of administration. A committee of the New York Legislature while pointing out the evils that may arise from this system administered by officers who were unfit for a work that requires so much judgment, discretion and zeal, stated that under Mr. Brockway's management it worked fairly well at Elmira.

Dr. E. C. Wines, writing ten years ago, said: "Indefinite sentences, that is sentences not to run to a fixed time but until reformation would in my judgment prove an effectual agency in the reform of prisoners." And he argued thus: "Now what end do we propose in public punishment? The diminution of crime. But this is to be sought mainly in the reformation of criminals. It is therefore a legitimate, not to say necessary exercise of human authority to detain them until that effect is accomplished. Again, a criminal is a man who has committed an offence and deserves punishment, but he is also a man morally diseased and needs a cure. The prison is intended to effect both these ends—the punishment and the cure: nay, to effect the cure by means of the punishment. Now, as it is impossible to predict the date of a sick man's restoration to health, so it is no less impossible to foretell the day when a moral patient will be restored to moral soundness. So that by fixing the duration of the sentence in this latter case we run a double risk, namely, on the one hand of turning the criminal loose on society before he is cured, and on the other of detaining him after he is cured, so that by making his release depend on a mere lapse of time we are almost sure of committing a wrong on one side or the other—a wrong to society or a wrong to the prisoner. Still again, the protection of society is at once the end and the justification of imprisonment. But society is not protected by the criminal's imprisonment unless he is reformed by it. . . We do not set the madman free until he is cured of his madness; neither can we safely nor even justly set the criminal free until he is cured of his proclivity to crime." In 1877 the managers of the Elmira reformatory in their annual report argued that to sentence prisoners thus indefinitely is no hardship, for it places the time of their release practically in their own hands, and it is due to society that they who by crime are shown to be dangerous citizens when at large should be kept under proper restraint until the danger is over; the prisoner has no just claim to enlargement until he is safe. It is not only due to society, but more, it is a public outrage upon peaceful citizens to turn loose upon them as we are constantly doing from our prisons professional criminals who openly avow the purpose to pursue again a criminal career. Any supposed risk incurred by clothing a board of managers with so much authority over these prisoners," they say, "is guarded by the requirement that full returns shall be made annually to the Secretary of State at whose office any one can find all facts as to any prisoner, and it will be remembered the Governor of the State has power to pardon." It seems logical that if the indeterminate sentence system be adopted the criminal should be held under restraint until he has reformed; but parliaments and legislatures have a repugnance which still seems invincible, to placing power so great in the hands of any official or board. Mr. Brockway found it necessary to introduce a maximum term in his bill to get it passed. Only in Bavaria, as yet, has the fully indeterminate sentence been tried. Dr. Wines admits that difficulty is found in applying the system to this extent and he says: "But it is not likely that so great a change as that of determinate to wholly indeterminate sentences can be made on the sudden, nor would it be desirable if it could. The principle must be established at first [illegible] always so under limitations," the courts assigning a [illegible] punishment.

Mr. Tallack, who does not approve of the Elmira system, says that "it presents some noteworthy features, although apparently lacking hitherto in the degree of religious training which has been so beneficial in some other prisons. . . The educational or rather collegiate training is a most prominent feature. About a dozen of the professors or teachers of colleges and schools in the vicinity are engaged to instruct classes in the prison and to deliver lectures on drawing, designing, German, English and American history, business, law, arithmetic, physical geography, economics, practical ethics, political science, etc. There is an experimental school of art for practice in the work of terra cotta, encaustic tiling, modelling and designing from nature, embossing on brass, moulding metal pieces ornamentally, executing portraits in hammered copper, and so forth. In what is called a reformatory library are the novels of Alexander Dumas, Eugene Sue, Ouida, Bulwer, Jules Verne and others. A convict writing in the prison proper compares the comforts of the prison with the discomforts of the outer world and asks, 'Is godliness profitable?' but admits that liberty has charms. It is claimed that 80 per cent. of the Elmira men thus become reformed. Even if it be so (and the matter is open to question) such a result, however good in itself, is quite compatible with an absolute increase of criminality being produced amongst the outside community by the knowledge that the discipline of so large an establishment furnishes so many advantages to the evil-doers, and is in so small a degree calculated to deter. Nor is it to be regarded as a matter for unmixed satisfaction that a certain small proportion of the convicts discharged from Elmira have voluntarily returned thither for shelter and support. . . Can it be just to any community that murderers even of the second degree should be merely sentenced to a maximum of five years detention, of which one-half or more may be worked off by good behaviour in prison, whilst the other half may be lightened by courses of collegiate lectures, novel reading, artistic training, and so forth; and whilst at the same time food, clothing and shelter, superior to that of millions of virtuous persons, are abundantly supplied. . . The writer cannot but consider the indulgences at Elmira, for such classes at least as burglars and murderers to be a real cruelty to the lives, limbs and security of the millions of honest people in the community at large. This security should be the first consideration and, even the reformation of the individual murderers and ruffians the second and subordinate one. . The principle of indeterminate sentences, if true to their appellation, ought also to involve as a most important essential some provision for an indefinite prolongation of the custody of the unreformed and resolutely vicious criminals. It is hardly to be contended that this plan possesses the merits of the existing conditional liberation system of Great Britain, which has its very important adjunct of police supervision as some security against mischief from the offender" Mr. Tallack alludes to the introduction of indeterminate sentences in Bavaria about 1835 apparently in order to explain that there prisoners under such sentences may be "retained five, ten or more years until their habits and dispositions appeared to be radically reformed." He says also that Mr. Highton, State Commissioner of Prisons for California, in his report to the Governor of that State strongly condemns the Elmira system, and states that two murders were committed inside that institution in a recent year." The adoption of the system of indeterminate sentences does not involve the adoption of the ideas or of all the methods by which the Elmira reformatory is managed. Many penologists who regard the indeterminate sentence as essential to the success of any system of prison reform do not approve of all that is done at Elmira, and the opinion of Mr. Highton, whatever its value may be, can scarcely be regarded as outweighing the deliberate action of the legislatures of such States as New York, Massachusetts, Ohio and Pennsylvania.

One of the arguments frequently used to create doubt as to the wisdom of the indeterminate sentence system was put very forcibly by Mr. Brush, warden of the Sing Sing State prison, in a paper read by him at the Prison Congress held at Cincinnati last year. He said: "Prison discipline to be of any use should not only make the prisoner subordinate but should improve him physically and mentally, and also be of such a nature as to give him a character to control himself when released from prison; for it is a curious fact that many if not most of our worst criminals are our best behaved prisoners. This shows conclusively that it is nearly if not quite impossible for prison officers to judge from the conduct of a man in prison what his conduct will be when he is released from prison. This is the strongest argument to my mind against the indefinite sentence. For if a man is to be released upon his good behaviour in the prison and his apparent reformation while there, we may, and very likely will, release many of our worst criminals, while men of lesser tact who transgress the rules from a want of firmness and decision would remain in prison a long time, if not for life."

Progressive or Cumulative Sentences.

Penologists agree that the certainty rather than the severity of punishment deters those who are tempted to commit crime. The penalty of death is incurred much more recklessly when the chances of escape are many than is the penalty of imprisonment where punishment almost invariably follows the commission of crime. It has also been found that criminals are more apt to persist in their criminal courses when there is a chance that the penalty for a second or third or fourth crime may be as light or even lighter than the penalty imposed for the first. In theory it has always been held that the penalty should become heavier every time a criminal is convicted, even though there may be some variation in the character or malignity of his crime, and in order to give effect to this theory great pains have been taken in several countries to ensure that the person who has been convicted once shall be recognized when charged with a second offence. In England photographs of convicted criminals are carefully taken and elaborate descriptions of their size, complexion, appearance and marks are recorded. In France the Bertillon system, which seems to render failure of recognition impossible, has been adopted, and with several of the wardens, superintendents of prisons and other officials in the United States this system finds much favour. But it frequently happens that a criminal who has spent two or three terms in the penitentiary or prison receives a sentence so light that it seems to bear no proportion to the atrocity of his crime. Dr. Wines states that "the tendency to long sentences shows itself in the Southern States to short ones in the Northern," but there is often a great diversity in the sentences imposed in the same State or Province and even in those imposed by the same magistrate. Many contend that a criminal repeatedly convicted of serious crimes should be confined for life as incorrigible. In Ohio, by Act of the General Assembly, passed May 4th, 1885, it is provided that "every person after having been twice convicted of felony shall be adjudged a habitual criminal and shall be imprisoned for life." This law, the Ohio Board of State Charities in their report for 1890 say, "has been practically nullified by the failure of prosecuting attorneys to specify in their indictments the charge of incorrigibility which the Supreme Court has determined must be done in order to hold the prisoner beyond the maximum of imprisonment authorised for the crime for which he was convicted, although he may have a prison record of half a dozen previous convictions." In cases of petty larceny and drunkenness it has been found that the repeated impositions of small penalties produces no beneficial result. The pay-

ment of a small fine or imprisonment for a few days has no terror for the habitual drunkard or the confirmed thief, and the instances are not few in which such offenders have been committed to gaol from fifty to one hundred times or more. Sometimes the penalty is increased in such cases, but the increase seldom has a deterrent effect because it is uncertain. Whether the option of paying a fine should be allowed to an habitual drunkard brought before the courts a third or fourth time within the year may well be questioned. Instead were cellular confinement possible there would be no doubt on that point.

Mr Tallack states the opinion of many on this subject, when he says, "It is the opinion of a number of experienced prison officers, that a much more general repression of crime than has been hitherto obtained would be secured merely by the adoption of a more certain gradation of cellular confinement for the repitition of transgressions. It is already found to be a fact that a single brief imprisonment on the separate system effects a life long deterrence in regard to many offenders. Hence, first imprisonments should, as a rule, be of very short duration, the object being, rather to attempt to prevent further crime, than to impose heavy inflictions for the sake of mere theories of vengeance. The first punishment should be just sufficient to create an abiding, disagreeable impression of a deterrent nature. It should not be so long as to have habituated its subject to prison life, or to have removed or relaxed that wholesome dread of incarceration, which it is so needful to maintain. . . . Every subsequent conviction should involve some definite increase of detention. It is comparatively of minor consequence if the amount of additional penalty is but small so long as it is certain to be greater than any one previously undergone by the same individual. It can hardly be too often repeated or recognized that the main element in the repression of crime is not severity, but certainty—real absolute certainty. And in order to render this the more practicable, it must involve moderation and patient gradation." Such steady progress with really penal conditions of cellular separation and hard labour is more effectual he maintains than either "the piling on absurdly hurried additions of long years of detention for the repetition of a few petty thefts or inflicting upon case-hardened individuals dozens or scores of these contemptible sentences of a few days or weeks. Even for the peculiarly difficult class of habitual drunken misdemeanants, the course of a very gradual but sure increase of detention," he says, "will be found very influential. Some striking instances of success have been noticed, when in certain cases, the principle of a moderate progression of sentences has been applied to such persons. This sure but very gradual cumulation of cellular imprisonment will alone, and without any provision for further industrial training or future supervision, suffice for the effectual reclamation and deterrence of many offenders, who under existing irregularities of treatment become habitual criminals." He further says "criminals should not be regarded as belonging to the habitual class until they have undergone several, at least, of the first stages of such a moderate but certain cumulation of penalties. In most cases, the penitentiary majesty of the law might fairly afford three, from three to six opportunities of reclamation. This course would greatly restrict the number of persons to be further and finally dealt with. But after three to six trials of the operation of imprisonment, the aggregate of which need not have exceeded one year's duration for petty offences, the constitution should assume another character. Then it should involve in addition to longer imprisonment a subsequent training for from one year to several years either in a penal factory or the cultivation of land. The weakness of character evinced by any offender for whom this treatment, and more careful, requires also the continuance of supervision after [illegible] again should not be immediately

Without proper provision for the cellular or separate confinement of prisoners sentenced to short terms of imprisonment it would be difficult to carry out this system of treatment successfully, although in most of our gaols separate confinement would sometimes be possible. There are other obstacles, perhaps, more difficult to overcome. To deprive judges and magistrates of discretionary power would be a serious change. If such power were always wisely, as well as honestly exercised, so great a change would be unnecessary even though hardened criminals did sometimes pass as first offenders.

An English Act (34 and 35 Vic. c. 112), passed in 1871, provides that "Where any person is convicted on indictment of a crime, and a previous conviction of a crime is proved against him, he shall at any time within seven years immediately after the expiration of the sentence passed on him for the last of such crimes, be guilty of an offence against this Act, and be liable to imprisonment with or without hard labour, for a term not exceeding one year, under the following circumstances or any of them. These are, if it is charged and there are reasonable grounds for believing that he gets his living by dishonest means; or if he is found anywhere under such circumstances as satisfy the court that he was about to commit a crime: or if he is found in a dwelling, shop, warehouse, or other of the places specified, and is unable to account for his being there: or if being charged with any offence, he refuses to give his name, or gives a false name or false address. A person convicted a second time on a criminal charge may, in addition to any other punishment awarded to him, be subjected to the supervision of the police for seven years after the expiration of the sentence passed on him for the last of such crimes."

The Ohio law of 1885, provides with respect to habitual criminals that "every person who after having been twice convicted, sentenced and imprisoned in some penal institution for felony, whether committed heretofore or hereafter, and whether committed in this State or elsewhere within the limits of the United States of America, shall be convicted, sentenced and imprisoned in the Ohio Penitentiary for felony hereafter committed, shall be deemed and taken to be an habitual criminal, and on the expiration of the term for which he shall be so sentenced, he shall not be discharged from imprisonment in the penitentiary: but shall be detained therein for and during his natural life unless pardoned by the Governor, and the liability to be so detained, shall be and constitute a part of every sentence to imprisonment in the penitentiary; provided, however, that after the expiration of the term for which he was so sentenced, he may in the discretion of the board of managers be allowed to go upon parole outside the buildings and enclosures; but to remain while on parole in the legal custody, and under the control of the said board, and subject at any time to be taken back within the enclosure of said institution."

The directors of the Connecticut State Prison, one of whom is Francis Wayland, well known as a penologist, suggested that the law of that State should be amended so as to provide that, "two previous sentences to the State Prison for felony, whether committed heretofore or hereafter, and whether committed in that state or elsewhere within the limits of the United States, should on the third conviction for felony in that state constitute the person so sentenced an incorrigible.

Cellular Confinement.

Many earnest reformers contend that all imprisonment should be cellular or separate, and that imprisonment ruins many and reforms few, if prisoners are allowed to associate even in workshops in which silence is enforced most

strictly. All association of criminals, they contend, is evil and productive only of injury. The worst of the criminals associated in any way almost invariably drag the less depraved down to their own level. The hardened criminal is never improved by association with those less guilty than himself. No possible classification of criminals, they assert, can do more than mitigate the evils of association. Some assert that although Captain Maconochie wrought such wonders at Norfolk Island, his classification of prisoners proved a failure. Captain Maconochie held, as many still hold, that only in society can men be fitted to become members of society. There is nothing to show that he changed this opinion. The strongest arguments that can be used in favour of the cellular system are to be found in the reports of the Managers and Superintendent of the State Penitentiary of Eastern Pennsylvania. Solitary confinement, as a means of reformation, had not been used anywhere until introduced in that State towards the close of the last century. As one of the most dreadful means of vindictive punishment, confinement absolutely solitary had been used in many nations of ancient and mediæval times. In the famous prison of San Michaele, at Rome, it is stated "The great evils of idleness were prevented by constant labour during the day; classification to a certain extent and silence as far as practicable in an assembly were enforced; and separate dormitories or night-rooms for each prisoner provided; appropriate moral sentiments were inscribed on conspicuous tablets for the continued inspection of the inmates and above all religious instruction was administered." This was not a cellular system in the modern sense of the word. After this model the prison at Milan and then the prison at Ghent were built, and from all these Howard took the idea for that Gloucestershire prison, from which it is said the Pennsylvanians took the idea of a cell for each prisoner, themselves introducing by a law passed on April 5th, 1790, the principle of separate and solitary confinement. This Act declared that previous laws for the punishment of criminals had failed "from the communication with each other not being sufficiently restrained within the places of confinement, and it is hoped that the addition of unremitted solitude to laborious employment as far as it can be effected will contribute as much to reform as to deter."

One of the earliest advocates of the Pennsylvania system said that "by separate confinement it is intended to punish those who will not control their wicked passions and propensities," and he contended that "in separate confinement every prisoner is placed beyond the possibility of being made more corrupt by his imprisonment, since the least association of convicts with each other must inevitably yield pernicious consequences in a greater or lesser degree; that the prisoners will not know who are undergoing punishment at the same time with themselves, and thus will be afforded one of the greatest protections to such as may happily be enabled to form resolutions to behave well when they are discharged and be better qualified to do so, because gangs of villainy are often formed in prison which the captives carry into operation when at large; that seclusion is [illegible] moral treatment and with religious instruction and advice superadded, is calculated to achieve more than ever yet has been done for [illegible] that a proper gradation of punishments [illegible] could more easily be enforced." Under this system each prisoner should have a large, well-lit, well-ventilated cell on the ground floor, having an ample supply of pure water, and with an enclosed yard attached in which he could spend part of each day. The dimensions of the cell in the East Pennsylvania penitentiary is [illegible] This prisoner, a

late report says, should be visited as often as possible by the officer on guard, who should spend all his time in the cells; by the chaplain, the warden and deputy warden. He may be permitted to receive visitors, though not frequently, and to receive and write letters, and he must receive a certain amount of literary instruction from a teacher who goes from cell to cell, and in some mechanical occupation from a competent teacher if he requires it. Thus the solitude would be frequently broken. Great cleanliness and a proper degree of industry were enforced, and it was asserted that the prisoners who learned some handicraft would be more independent when set at liberty than a prisoner taught, as in other penitentiaries, merely to attend a machine. The managers of the Eastern Pennsylvania Penitentiary prefer that their system should be known as "the separate and individual treatment system of prison discipline," and they maintain in all their reports that it has proved eminently successful. About "70 per cent. of first convictions to this penitentiary," they say, "are reformed. Of the crime class the reformations will not exceed four per cent." They believe that reconvictions "result chiefly from inherent depravity." That their system is not a success, they say, can be proved only when some other institution can show a better record after fifty years of experience.

It is generally believed that solitary confinement when continued for years produces the most injurious effects on mind and body. Charles Dickens, who visited this prison, says of it in his American notes: "I am persuaded that those who devised this system of prison discipline and those benevolent gentlemen who carry it into execution do not know what it is that they are doing. I believe that very few men are capable of estimating the immense amount of torture and agony which this dreadful punishment prolonged for years inflicts upon the sufferers: and in guessing at it myself and in reasoning from what I have seen written upon their faces, and what to my certain knowledge they feel within, I am only the more convinced that there is a depth of terrible endurance in it which none but the sufferers themselves can fathom, and which no man has a right to inflict on his fellow creature. I hold this slow and daily tampering with the mysteries of the brain to be immeasurably worse than any torture of the body; and because its ghastly signs and tokens are not so palpable to the eye and sense of touch as scars upon the flesh; because its wounds are not upon the surface and it extorts few cries that human ears can hear, therefore I the more denounce it as a secret punishment which slumbering humanity is not roused up to stay. . . I solemnly declare that with no rewards or honours could I walk a happy man beneath the open sky by day, or lay me down upon my bed at night with the consciousness that one human creature for any length of time, no matter what, lay in his silent cell and I the cause or I consenting to it in the least degree. . . The dull repose and quiet that prevails is awful. Occasionally there is a drowsy sound from some lone weaver's shuttle or shoemaker's last, but it is stifled by the thick walls and heavy dungeon door and only seems to make the stillness more profound. Over the head and face of every prisoner who comes into this melancholy house a black hood is drawn, and in this dark shroud, an emblem of the curtain dropped between him and the living world, he is led to the cell from which he never again comes forth until his whole term of imprisonment has expired. He never hears of wife or children: home or friends; the life or death of any single creature. He sees the prison officers, but with that exception he never looks upon a human countenance or hears a human voice. He is a man buried alive to be dug out in the slow round of years and in the meantime dead to everything but withering anxieties and horrible despair. His name and crime and term of suffering are unknown even to the officer who delivers him his daily food. There is a number over his cell door and in a book,

of which the governor of the prison has one copy and the moral instructor another; this is the index to his history. Beyond these pages the prison has no record of his existence. . . On the haggard face of every one among these prisoners the same expression sat. I know not what to liken it to. It had something of that strained attention which we see upon the faces of the blind and deaf, mingled with a look of horror, as though they had all been secretly terrified. My firm conviction is that, independent of the mental anguish it occasions—an anguish so great and so tremendous that all imagination of it must fall short of the reality—it wears the mind into a morbid state which renders it unfit for the rough contact and busy action of the world. It is my fixed opinion that those who have undergone this punishment must pass into society again morally unhealthy and diseased. What monstrous phantoms bred of despondency and doubt and born and reared in solitude have stalked upon the earth making creation ugly and darkening the face of Heaven."

It was asserted by the managers of this prison at the time that Mr. Dickens gave loose rein to his imagination, and sought rather to excite strong feeling than to tell the exact truth. He spoke no word of criticism or objection when he visited the prison, and what he afterwards wrote they say "is marked by the strong contrasts which he painted in his fictions." In support of this it was stated that one of three whom he described as suffering the most dreadful mental anguish was a recidivist, who released some time after Mr. Dickens's visit was imprisoned more than once subsequently. Mr. Vaux in a history and very elaborate defence of the system published in 1872, said that he and his associate inspectors (as they are called) believed the system to be "as great a success as human effort under all circumstances could be expected to accomplish." In their report of 1888 they say, in reply to the statement that "isolation imperils the mental and physical health, that never in a single instance during a half century of observation and study has a case occurred in this penitentiary in which mental or physical disease was justly attributed to this system of prison discipline. Cases of mental disease do occur. . . Admitted mental disease is equal to [illegible] per cent of admissions, but a very large number of convicts have developed [illegible] that were innate, latent, inherited or constitutional, and proved to have been [illegible] ally caused by influences from which crime germinated before conviction and sentence." The self-examination which separate confinement causes they say "an education, a drawing out of the mind, or what of intelligence the man possessed, the results of reflection on a life of wrong-doing, or acts of wrong-doing [illegible] instructive in indicating how a better course might be ordered to avoid the attendant conditions which crime creates." They say, moreover, that under the system "each prisoner is considered as to his moral capacities," and that to each is administered the treatment which his case requires. Mr. Vaux claims that one who has been intrusted with the preparation of forty-six consecutive annual reports "of this prison may be absolved from any other motive now than the expression of views entertained by the inspectors." The Warden in his reports insists quite as strongly that the system is the best for the prisoner and for the State that has yet been devised. There has been some relaxation of the discipline since the time of Dickens, as prisoners are now allowed to [illegible] and to send letters, and [illegible] been found necessary also, because of the want of sufficient prison room, to put a thousand convicts in this penitentiary, which has but 700 cells.

Another penitentiary system long known as the Auburn system because adopted at the [illegible] of the State of New York [illegible] the cellular system [illegible] put into operation fully in the [illegible] penitentiary. This provides for the confinement of prisoners in [illegible]

cell at night and for their association at work and at meals in absolute silence. A warm controversy was carried on for years between the advocates of the two systems. Rhode Island, New Jersey, Maine, and probably some other states adopted the Pennsylvania system, but all have since adopted the Auburn system. All the states since created have adopted that system, and Pennsylvania, which had two penitentiaries conducted on the cellular system, now has only the one. In New Jersey, as early as 1840, the board of inspectors expressed their doubts as to the reformatory power of the Pennsylvania system, and in the same year the medical officer of the prison attacked it as prejudicial to the health of the body and this he repeated from year to year. Probably the fact that the returns from the labour of the prisoners were so scanty had an effect on the legislature. In 1859 the system was formally abandoned and the Auburn system substituted for it. The Rhode Island penitentiary was opened in 1838, on the Pennsylvania plan, for which four years after the Auburn system was substituted. The warden, a medical man, in his report for 1884 described the Pennsylvania system as a "slow corroding process carrying its subject to the derangement or destruction of both body and mind." He said that of the forty prisoners committed during the year previous ten manifested symptoms of decided insanity and that the advantages claimed for the system of "greater calmness of spirit and readier submission to the rules had not been realized. On the contrary, solitude had been found to produce restless irritability and peevishness, impatient of the unnatural restraint imposed on the reluctant body and mind and difficult to be dealt with; while in the performance of the social labour in silence the men have been more easily subject to control and have required less frequent exertions of authority than before. When shut up in the cells they exercise under the cravings of the social instinct—which walls and chains cannot repress—every contrivance that ingenuity could suggest by means of the window and of the pipes passing through the cells to hold some communication with each other and these were more successful than would be thought possible."

Ten years ago the prisoners undergoing cellular confinement in all the prisons, penitentiaries and gaols of the United States were supposed to be about four per cent. of the whole number incarcerated. The proportion has not changed much since. But "the current of public opinion amongst men who study this question sets strongly in the direction of cellular separation for prisoners awaiting trial and for those sentenced for short terms."

The history of cellular imprisonment in Great Britain is [illegible] fully written. Howard disgusted with his own experience of the [illegible] system as it existed in the French prison in which he was confined [illegible] an advocate of "separation." The Act of 1779 for the establishment of penitentiaries in England, which Howard assisted in framing (19 Geo. III c. 74) provides (sec. 33) that "such offenders as shall be sent to either of such penitentiary houses, shall, during the hours of rest, be kept entirely separate and apart from each other and be lodged in separate rooms or cells not exceeding twelve feet in length, eight feet in breadth and eleven feet in height [illegible] in length, seven feet in breadth and nine feet in height, and without any window within six feet of the respective floors, which rooms or cells shall be dried and moderately warmed in damp or cold weather by flues from fires in the kitchens and other public fires belonging to each house; and the [illegible] during their hours of labour, in case the nature of their several employments will permit, be in like manner kept separate and apart [illegible] and where the nature of the employment may require two persons to work together, the room in which two persons shall work shall be of [illegible] dimensions, and if the nature of the work wherein such offenders shall be employed

shall require the labour of many persons at one time a common work-room or shed shall be allotted to them for that purpose; but during the time the offenders are engaged in such common work-room or shed the governor of the said house or the taskmaster or one or more of their servants or assistants shall be constantly present to attend to the behaviour of such offenders, and such two or more persons shall not be suffered to continue together except during the hours of labour and Divine service and the times respectively allotted for their meals and airings." Long after Howard's time the Rev. John Clay, chaplain of the Preston prison, became known as an earnest advocate of the separate system, from which he expected that "it would guarantee the prisoners from mutual corruption and make them think." He held that "without separation and non-intercourse a chaplain's efforts would be comparatively fruitless. But on the other hand separation and silence unrelieved by the benign influence of religion are worse than useless, are positively injurious." The magistrates of Middlesex, Surrey and other counties, and several prominent individuals such as the Duke of Richmond, Sir George Paul, Bart., Rev. J. Kingsmill and Rev W. J. Osborne, endeavoured for many years to extend the practical adoption of separate imprisonment in Great Britain. Bishop Ullathorne, who had had much experience of the evils of the association of criminals in Australia, and Mrs. Fry who did so much to reform Newgate and other prisons, laboured in the same cause. One of the great difficulties they had to overcome was caused by the false notions which officials and others entertained as to what separate or cellular imprisonment meant and as to the manner in which it should be employed. Wherever the system was adopted it was worked with extreme rigour until experience showed that by such rigour the purposes for which the system was devised were frustrated. "The Prison Matron" in her remarkable work published in 1866, says: "At Glasgow and Edinburgh the airing is on the separate system and no correspondence can ensue between the prisoners in consequence—a wise and safe precaution it must be acknowledged, but partaking too much of the wild beast treatment to be satisfactory at first sight to one accustomed to rules more lenient. There is something awfully sad that brings the tears to the eyes of an observer in the airing cells at Edinburgh and Glasgow." In the Glasgow prison "the women are apart, divided by airing cells or wards of a peculiar construction resembling a coach wheel, with a prisoner between each of the spokes, separated from her fellows by a high partition, the top open to the air and covered with an iron grating, and in the centre above them and commanding a view of each division and of the sad, restless inmate who must halt not for an instant in her walk, watches the female guardian in charge. For the worst class of women . . . this coach wheel division of refractories might be advantageously adopted, perhaps. It is certainly the most terrible punishment at which one of the boldest would recoil, for it is utter isolation; but it must weigh heavily on the minds of the criminals, and I think would tell upon them if too long adopted. This was not what the reformers of that day advocated. In the Edinburgh [illegible] intercourse with sober and well conducted persons, would have been in her view [illegible] cellular confinements in semi-darkness without industry, without adequate [illegible]

nations that solitude has been so often considered as being identical with separation. . . . Silence may exist with the association of numbers, and effectual separation from evil associations may be secured in conjunction with the daily companionship of suitable persons." Different ideas as to separate imprisonment prevail in different countries and in different prisons of the same country. The system adopted in Pentonville, sometimes called a model prison, differed from that followed in other English prisons and was more rigorous. "It was never accompanied by those necessary and merciful ameliorations which other better conducted cellular establishments in various countries have adopted. But incomplete as was the Pentonville plan," says the writer, "it was never so mischievous to the minds of the prisoners as has often been represented. . . . The lessons of the past have awakened attention to the necessity for rational precautions such as constant industry, a supply of books, instruction by chaplains and school masters, careful medical oversight and frequent visitations by the officers and other persons."

The Act 28 & 29 Vic. (c. 126) provides that in a prison where criminal prisoners are confined, such prisoners shall be prevented from holding any communication with each other, either by every prisoner being kept in a separate cell by day and by night, except when he is at chapel or taking exercise, or by every prisoner being confined by night to his cell and being subject to such superintendence during the day as will consistently with the provisions of this Act prevent his communicating with any other prisoner. The British local prisons are now all constructed and managed on the cellular system. The short time prisoners see one another only once a day in the exercise yard where they must take exercise according to the regulations and they are forbidden to communicate by word or sign. It is generally believed that they do contrive to exchange signs and sometimes even words, although the rules are more strictly enforced than in American state prisons. Those imprisoned for long terms are allowed after a time to work in association and occasionally to indulge in conversation. Those sentenced to penal servitude are subject to cellular imprisonment for nine months, and if they behave well the rigours of their isolation are somewhat relaxed after three months.

A Massachusetts law (R. S. chap. 215, sec 23) provides that when the punishment or imprisonment in the State Prison is awarded against a convict, the form of the sentence shall be that he be punished by confinement at hard labour, and he shall also be sentenced to solitary imprisonment for such term as the court shall direct, not exceeding twenty days at one time, and in the execution of such sentence the solitary imprisonment shall precede the punishment by hard labour unless the court otherwise orders.

Belgium carries out the cellular system more thoroughly than any other country. M. Ducpetiaux, thrown into prison during the revolution of 1830, was forced to associate with vile and filthy criminals, and became convinced that "association in imprisonment is an indulgence to the vile, a cruelty to the novice, and a corrupting evil to all." Appointed Director of Prisons by King Leopold, he introduced the cellular system. It is not applied to persons imprisoned for life or for long periods. Constant occupation is provided for prisoners: industry and hope are fostered by pecuniary and other rewards. The chaplain, schoolmasters, and wardens are required to spend many hours a day in the cells with the prisoners, and by their frequent visits to guard against separation becoming isolation. Each prisoner is permitted to take exercise in a small separate yard and may obtain indulgences, such as tobacco, a garden plot, or permission to keep a bird. With a share of the money earned by his labour, the prisoner may purchase white bread, cheese, bacon, milk, paper, pens and other extras. The un-

spent portions of such earnings amount to such considerable sums as £5, £10, or £15 on work done, but in general, the profit thus allotted to the worker bears a minor proportion to the profit earned by him for the establishment. Skilled trade instructors are employed to teach occupation to the large majority of the prisoners who are ignorant and unskilled as to industry. The effects of this system were so salutary, short periods of cellular confinement being more deterrent and reformatory than long periods of punishment in association, that a law passed reducing 20 years confinement under the congregate plan to less than ten years of cellular confinement, and shortening other sentences proportionately. The maximum period of cellular confinement is now nominally nine years, but much shorter periods suffice for the generality of offenders. The prison at Louvain is now regarded as the model by the advocates of the cellular system.

Dr. Wines ten years ago wrote of the Belgian system: "She has the most perfect and complete penitentiary system of any country in the world. It is cellular throughout except as regards part of the prison of Ghent for life sentenced convicts. The system exists in that country under the best possible conditions, and has the best possible chance to work out whatever results it is capable of accomplishing. The penitentiary at Louvain is the model of the model prisons of the world. I had never conceived of anything in the form of a penitentiary establishment so admirable in organization, so perfect in administration. Nothing seems to have been forgotten in its construction, nothing overlooked in its rules, nothing omitted in its arrangements, and the results obtained are reported as highly satisfactory." Dr. Wines did not, however, approve of the cellular system even as carried out in Belgium for long term prisoners.

A French commission recommended the adoption of the cellular system for at least all sentenced to imprisonment for one year or less. The recommendation has not yet been carried out, but some prisons in Paris are constructed on the cellular or separate system. Strange to say, one of these is used for the temporary detention of children who are to be sent to schools and asylums of various kinds, and the sight presented by a number of these children when taken out of the prison for removal, is said to be exceedingly sad, so silent, dull and joyless do they become after even a few weeks or days of such terrible discipline.

In Holland the cellular system has been partially adopted but the progressive or Crofton system has still many adherents. At the annual meeting of the Juridical Association held soon after the meeting of the Prison Congress in London, a resolution that the progressive system ought not to be recommended in the case of sentences of long duration was carried by only a small majority, and a resolution affirming that imprisonment after the maximum of cellular imprisonment allowed by law (three years) had been undergone, the prisoners ought to be admitted to associate imprisonment based upon a sound classification was adopted by a nearly unanimous vote. Surington, the great apologist of the cellular system in Holland always insists on the complete isolation of the prisoners from each other but with regular work, the use of books, religious instruction, religious teaching, visits, and a daily enjoyment of the open air and cheerfulness of the cell so much that as to the reformation of the inmates, it is only the worst [illegible] the cellular system.

A prison at Christiania, Norway is regarded as an institution in which the cellular system has been very scientifically and successfully carried out. Mr. Peterson the superintendent thinks however that too many short sentenced prisoners are sent to him and that the inducements offered to the prisoners to reform are too small, as they do not receive any share of their earnings and can not earn an abbreviation of their sentence. Mr. Peterson thinks long or often

repeated isolation enfeebling to both mind and body. Denmark tries the cellular and progressive systems in different prisons, having one cellular, and one associated for males, and within one enclosure a cellular and an associated prison for females. Convicts sentenced to imprisonment for terms ranging from eight months to six years, are treated under the cellular system. The average imprisonment in these cases scarcely exceeds a year. It is considered of great importance to secure frequent visits to the cell prisoners. Prisons or gaols for preliminary detention are all on the cellular system. Saxony has five classes of prisons. All are conducted on what is known there as the principle of individual treatment. As the managers think it best for each prisoner, he is treated according to the cellular or the associate system.

From all this it appears that there is very considerable variety in what is called the cellular system. The chief feature in all cases is that the prisoner is shut off from communication, not only with other prisoners, but to a great extent from communication with mankind generally. Absolute isolation for long terms appears to have few advocates now, but isolation and solitariness absolute or partial, are necessarily part of the system in any of its forms. The gaolers and other witnesses who appeared before the Commission, stated almost without exception, that solitary confinement is a very severe form of punishment, and that it could not be inflicted for any great length of time with safety, even though the prisoners were occupied with work, and allowed the use of books. For short term prisoners, it may be found advantageous, but many objected to placing those awaiting trial who may be innocent and those held as witnesses in solitary confinement as an indefensible infliction of severe punishment where perhaps no punishment was deserved. Mr. Tallack says, "In thousands of cases, especially in such of the English local gaols as have vigorously enforced cellular separation—the effect of a first sentence to a few weeks or months of this punishment—has proved a life-long cure of crime." But he also says, "When cellular imprisonment becomes absolute solitude, it is if unduly prolonged a serious evil, an unwarrantable cruelty, an outrage on humanity. Solitude is one thing, wise separation is another. Continued isolation is unnatural and ruinous to mind and body, whereas separation from evil association only, is most beneficial to its subjects."

In some of the gaols of Ontario, even if they were used only as places of detention for those awaiting trial and for those who having been sentenced were held for removal to prison or asylum, and as places of punishment for those sentenced to very short terms of imprisonment the number of inmates would sometimes be large. And as all association of criminals, no matter how careful the classification, and especially association in idleness, is demoralizing, the cellular system should be introduced as soon as possible in all common gaols in which it can be introduced without great cost. This system has been fully adopted in all the gaols and local prisons in Great Britain, and to its adoption may be attributed in a large degree the wonderful reduction in the prison population of that country. Solitary confinement for long terms is generally regarded as hurtful to mind and body. But solitary imprisonment for a short term is attended with no danger in the case of an adult and is usually productive of much good. By its means the degradation, the loss of self respect, the demoralization which are the almost certain consequences of association even for a brief period with the profligate, the depraved and the vile are avoided and the deterrent effects of such imprisonment are generally very great. Even those who regard solitary or cellular confinement as a very severe form of punishment, admit that it is least degrading, and gives the prisoner time and opportunity for reflection and for communing with himself; and if eit-

through dread of the punishment or because he has been led to form and to keep resolutions of amendment the offender do not repeat his offence the chief object of punishment is thus most easily attained. Efforts have been made to introduce this system in the county gaols of the United States, especially in the state of Ohio, but as yet with little effect. Imprisonment in many of the gaols constructed for carrying out the cellular system differs very little from imprisonment in the common gaols of Ontario. We must look therefore to Great Britain for knowledge of what this system really is and for evidence of what its effects are on such prisoners as are found in the common gaols of Ontario. All reports, official and impartial, agree that the effects are good and even those penologists who condemn most strongly the cellular system for long term prisoners admit that it is not only salutary when applied to short term prisoners, but that its introduction in all penal institutions in which short term prisoners are kept and in all places of detention must be the foundation of any complete system of prison reform. Means for relaxing its severity in the case of persons awaiting trial and of those held as witnesses who should not be subject to punishment may easily be devised.

Where the gaol population, reduced as has been proposed, becomes very small, the structural changes necessary for the practical adoption of this system need not be expensive. Some of the gaols are now so constructed that only inexpensive changes would be required to fit them for the accommodation of a comparatively large number of prisoners on that system, at any rate in a modified form. In others it would not be difficult to arrange a part of the buildings so that at least short term prisoners should be treated according to this system. Whenever a new gaol is built or an old gaol is enlarged or reconstructed care should be taken to adapt it to this system. Where the cellular system cannot be introduced immediately a careful and thorough classification of prisoners on a well considered system should be insisted upon.

Labour in Prison.

From the very earliest days of prison reform, it was found that if prisoners were to be reformed, they must be steadily and usefully employed. Labour in prison is still too generally regarded as punishment and the words "with hard labour," are still in most cases attached to the sentence of imprisonment. That real hard labour for short term prisoners, such as vagrants, may serve as a useful deterrent seems fully established by the evidence given. All prisoners dislike most labour that is unproductive. It is to make his punishment more severely felt, that the felon in an English prison is for the first three months kept at work that is wholly or nearly unproductive and unprofitable. It is however, as a means of reformation as a means of accustoming the constitutionally or habitually idle and lazy to habits of industry, as a means of preparing the criminal to earn an honest living when he regains his liberty, that labour in prisons is most useful, and for these purposes productive labour is unquestionably best. In all well-conducted prisons, one of the severest kinds of punishment is what some describe as "a deprivation of labour."

In the Act of 1779 for the establishment of penitentiaries in England, it was provided—Sec. 32—"That every such governor of each penitentiary house, shall during the time prescribed for the imprisonment and hard labour of such offender keep him or her so far as may be consistent with his or her sex, age, health and ability, to labour of the hardest and most servile kind in which drudgery is chiefly required and where the work is little liable to be spoiled by ignorance,

neglect or obstinacy, and where the materials or tools are not easily stolen or embezzled, such as treading in a wheel or drawing in a capstan for turning a mill or other machine or engine, sawing stone, polishing marble, beating hemp, rasping logwood, chopping rags, making cordage, and any other hard or laborious service; and those of less health and ability, regard also being had to age and sex, in picking oakum, weaving sacks, spinning yarn, knitting nets, or any other less laborious employment. And if the work to be performed by any such offenders shall be of such a nature as may require previous instruction, proper persons shall be provided to give the same." And the 34th section provides, "that such offenders shall be employed in work in the said penitentiary houses every day in the year except Sundays, Christmas Day and Good Friday, and also except such days when ill-health will not allow of their working; and the hours of work in each day shall be as many as the season of the year, with the interval of half an hour for breakfast, and an hour for dinner will permit, but not exceeding eight hours in the months of November, December and January, nine hours in the months of February and October, and ten hours in the rest of the year."

Years elapsed before constant organised labour was introduced in all the prisons of England. In all civilized countries labour is regarded as essential to discipline and good management in prisons and as a means for the reformation of prisoners. In England, and in some countries of continental Europe, labour is still regarded as part of the punishment of the prisoners and to render this punishment more severe, the convicts in the English prisons are for a time employed in work that is useless and unproductive. In the United States the prevailing opinion is that unproductive work does a prisoner more harm than good and promotes neither discipline nor reformation; and the practice in all the principal prisons of that country is in accordance with this opinion. Indeed, it has often been asserted that the managers of prisons in the United States seek only to make the prisons self-sustaining and that seeking only to save the ratepayers from taxation they care little about the reformation or the future welfare of the prisoners. In Great Britain, however, after the period of solitary confinement, the prisoners are employed in labour that is regarded as productive.

In what kind of work prisoners should be employed has always been a perplexing question. Where the cellular or separate system is in operation, there is not much room for choice. And in those prisons called workhouses or houses of correction in the United States, in which the greater number of the inmates are confined for short terms, it has been found expedient to adopt mainly those occupations in which no great degree of skill is required. In the state prisons of the United States, even where labour was generally regarded as punishment, there was naturally a tendency to employ the prisoners in those occupations in which their labour would yield the largest pecuniary return. This in many cases, led to a competition between the products of convict and of free labour which the labour organizations regarded as unfair to the honest workman. When the managers of prisons began to regard the reformation of prisoners and their restoration to society, in some position in which they could earn an honest living, as the purposes for which they should strive, a greater diversity of occupations was introduced. Then the competition was keenly felt in those trades in which a comparatively small number of workmen are engaged. This competition was rendered more trying and exasperating by the introduction in the prisons of what is known as the contract system. The contractor under this system pays much less for the day's labour of each prisoner than even unskilled labour is worth in the open market and he is thus enabled to undersell the outside manufacturer and yet realize large profits. Generally, the prison contractor, desirous of selling to the best customers in large quantities, did sell at prices which the employers of free labour found

unprofitable and in some cases small factories were crushed by this competition. This is said to have been especially notable in the hat-making and some other comparatively small trades. It was argued that in the United States the whole product of prison labour amounted to no more than one half of one per cent. of the value of the products of all skilled labour—some asserted that it was not more than a fifth of one per cent.—and that in the manufactures in which prisoners were chiefly employed, the production of prison labour in no case exceeded two per cent. of the whole. The reply was, that even two per cent. addition to the general production, was a serious matter and that the reduction in prices was such as to render it impossible for the honest workman to support his family in decency and comfort. It was argued that the prisoner did not lose his right to work, or his right to compete with others when he was sentenced to imprisonment. The reply to this was that the competition was unfair: that in many cases long term prisoners received at the expense of the state a literary, scientific and technological education such as the honest working man could not give his sons: that the state provided for the prisoners, a dwelling, workshops and machinery, and in not a few cases paid part of the cost of their food and clothing also: and that the prisoners did not support families or contribute to the support of the state, whose burdens indeed they increased. Even in England, although the feeling which found expression in the Act of 1799 still pervaded the management of the prisons and labour was regarded as punishment and mere drudgery was regarded as the appropriate work of prisoners and much of the work in which prisoners were engaged was unproductive and much, such as the construction of harbours and fortifications was undertaken, mainly in order to provide employment for convicts, the feeling against the competition of prison labour was so strong as to influence the action of Parliament. Generally, the boards of prison commissioners are empowered to make regulations respecting the labour to be done in prisons, the approval of the secretary of state being required to give those rules validity; but an Act of 1877, 40 and 41 Vic., Ch. 40 provides, (Sec. 16) "Whereas it is expedient that the expense of maintaining in prison, prisoners who have been convicted of crime, should in part be defrayed by their labour during the period of their imprisonment and that with a view of defraying such expenses and also of teaching prisoners modes of gaining honest livelihood, means should be taken for promoting in prison the exercise of, and instruction in useful trades and manufactures so far as may be consistent with a due regard on the one hand to the maintenance of the penal character of prison discipline and on the other, *to the avoidance of undue pressure on or competition with a particular trade or industry*," an annual report of the trades and manufacturing processes carried on in each of the prisons, be laid before Parliament.

A farm was attached to Dartmoor convict prison and on this 58,468 days' work valued at £2,678 was done in one year. In the same year 45,905 days' work valued at £3,049 was done in what is described as manufacturing this being the work of tailors, hammock makers, knitters, shoemakers, basket makers, shirt makers, carpenters, tinmen and painters. 82,531 days' work was done on the prison buildings and 48,750 days' work in what is called prison employment. At Chatham the convicts were employed in work for the admiralty and the war department on the prison buildings and other prison work. They were employed in the same way in the Portsmouth convict prisons, and others. In Pentonville, the work classed as manufacturing was six sevenths of the whole and was divided amongst tailors, shoemakers, weavers, mat and brush makers, hammock makers, bag makers, knitters, pickers, smiths and fitters, carpenters, painters and tinmen. In the Millbank prison seventh eighths of the employment is classed as manufacturing, but is the work chiefly of tailors, pickers (oakum) and bag makers. As in

some of the other prisons printing and bookbinding is carried on. Of oakum picking, which he describes as a depressing, irritating and all but useless task, the medical officer of this prison says that it is calculated to sour and perhaps wreck the mind. The labour in other convict prisons varies according to location and other circumstances.

The Prison Commissioners of Scotland in their report for 1888-9 say: "The execution of large works of public utility by the help of the labour of prisoners sentenced to penal servitude has, as a system of discipline been in operation in England about fifty years; but in Scotland it is an entirely new departure in the history of criminals. As the public works in England were drawing to a close, a committee was appointed by the Treasury in 1881 to inquire into the best method of employing convicts. . . The construction of a national harbour at Peterhead was resolved on and the work has now begun."

In the Irish convict prisons some of the prisoners were employed in tailoring, shoemaking, wood cutting, stone-breaking and mat-making, some in gardening, some in repairs and improvements of the buildings and a number in the cooking, washing and house work.

The competition of convict labour is not very formidable in Great Britain and Ireland.

Neither does the labour of those in the local prisons come largely into competition with free labour. The Act 28 and 29 Vic., chap. 126, (Prisons Act of 1865), passed while the county gaols were still managed by the justices of each county in session provided that "Hard labour for the purposes of this Act shall be of two classes consisting first of work at the tread-mill, shot drill, capstan, stone-breaking or such other like description of hard bodily labour as may be appointed by the justices in sessions assembled, with the approval of the Secretary of State, which work is hereinafter referred to as hard labour of the first class. . . . Provided that employment in the necessary services of the prison may in the case of a limited number of prisoners, to be selected by the visiting justices as a reward for industry and good behaviour be deemed to be hard labour of the second class."

Since local district prisons under immediate control of the government have been substituted for the county gaols the introduction of various kinds of work has been found expedient but much of the time of the prisoners is still spent in unprofitable work. The commissioners of prisons in their report for 1890—p. 53—say under the heading *Means for first class hard labour*: "The recognised apparatus for the employment of prisoners at first class hard labour have hitherto been—the tread-wheel; cranks in connection with deep well pumps, flour mills, etc., with a separate compartment for each prisoner; separate cranks with a fixed resistance for prisoners in their cells, unproductive; capstans for pumping water" and they add that "In the larger prisons the tread-wheel has been utilized in pumping water, grinding corn, sawing wood, dressing mats, etc. In many cases it used formerly to be constructed without any view to useful work, but the commissioners have when practicable built flour mills, and introduced gearing so as to utilize the tread-wheels in a better manner, and provide flour for the prisoner's bread." The prisoners not being numerous enough to work the tread-wheel in some cases "separate cranks have been provided in the cells." "Steps are being taken to abolish the capstans (where they still exist) because they place the prisoners too much in association" and "cranks in cells or in separate compartments will be provided in lieu of them." From this it would seem that the shot drill has been abandoned, but the other methods of labour punishment are retained. The part of the report received by the commissioners does not state

what productive employments are carried on in the English local prisons but it states that "workshops for prisoners employed in the building trades such as carpenters, smiths, tinsmiths, painters, etc., have been built or re-arranged at 23 prisons," that "at Wakefield large weaving and dyeing sheds have been constructed and machinery fitted for the shearing of mats, weaving, etc., and a complete foundry established in connection with the carpenters and smith's shops;" that "at Liverpool a shed for twine spinning has been lengthened and improved;" that "at Wandsworth shops have been constructed for brush-makers, bookbinders, shoemakers and tailors in addition to the usual shops for the building trade," and that "wash houses and laundries have been built or improved at 31 prisons."

In the Scotch local prisons besides the work done by bricklayers or masons, carpenters, painters and glaziers, plumbers, gasfitters, smiths and labourers on the prison buildings and the baking, cooking, cleaning, washing and other house work prisoners are employed in either carpenter work and baking, in fender making, net-making, mat-making, hair teasing, sack making, shoemaking, tailoring, picking oakum and Angola tubes. The gross amount received from purchasers of work in all the prisons of Scotland in 1888 was £9,825 10s 6d, and the amount paid for materials was £6,160 3s 4d, leaving after some other trifling deduction £3,665 7s 2d as the value of all the labour expended on goods placed on the market. These sums include the amounts received and paid at the Barlinnie and Perth general prisons and £6 14s received at the Peterhead convict prison for goods the materials of which cost £7 8s 6d.

In the Irish local prisons the work is of very much the same character as that in the Scotch prisons. In the Belfast prison 230 males and 96 females were employed in 1888 in what are called manufactures. The occupations were mat-making, shoemaking, tailoring, sack-making, cutting linen, picking oakum, stone-breaking, carpet cleaning, making firewood, tinsmith work, washing and knitting and needle work. The value of all the work done by the prisoners so employed is set down as £1,264 18s 7d or less than £4 a year for each prisoner. In Cork male prison in which brush making and coopers' work are also carried on 104 prisoners earned £319 8s 3d. In all these prisons the improvements and repairs of the buildings and the "ordinary service of the prison" are the chief occupation.

In the United States competition with prison labour was a much more serious matter. Except in the south each state had at least one great prison in which from 600 to 1,500 men were employed in manufacturing furniture, stoves, iron hollow ware, agricultural implements, shelf hardware, harness and trunks, boots and shoes and various other articles. New York had three such prisons and Pennsylvania two. In every state there were also minor prisons called houses of correction or work-houses in each of which from 200 to 400 prisoners were employed mainly in some special manufacture such as chair making or brush making. In 1882 the expenditure on the State prisons of New York was $415,660 and the profits of the prison manufactures exceeded that amount by $564.35. In Sing Sing prison the miscellaneous and contract earnings amounted, in 1886, to $242,941 or an average of $153.97 for each prisoner. Although these amounts are small compared to the value or the products of all the labour engaged in manufacturing in the state, the labour organizations made strenuous and successful efforts to get rid of the competition which they contended was exceedingly injurious to honest workmen. An Act of the State Legislature was passed which in substance forbade the use of machinery in the prisons, and provided that only such articles as were required in the public institutions should be manufactured. Warden Brush, of Sing Sing, stated in his report for 1888 that

the effect of this was to doom nearly all the prisoners to enforced idleness. "Over a thousand men," he said, "are now locked in their cells in this prison with nothing to do. They are exercised about four times a day by walking them in the yard. Idleness in a prison is horrible to contemplate especially to prison officials who understand fully its consequences. The prisoners soon become restless, unhappy and miserable. Time with them passes slowly. Their bodies soon become unhealthy and the mind must become diseased. In fact nothing but disease, insanity and death can be expected from this condition. Idleness in prison," he said, "is a crime on the part of the State against the prisoners, a wrong to the tax-payer and a wrong to the property-owner. Under the productive labour system nearly every prisoner when discharged was able to earn a living; under the system of idleness the prisoner when discharged has no muscle, no habits of industry, no trade; he must of necessity prey upon the property-owner for a bare subsistence and he at once becomes a dangerous element in society." In his report of 1886, the Superintendent of the New York State prisons asked, "Shall prison administration and discipline be shaped to reform the young men who form the considerable majority of our State prison population?" and he said, "All our efforts and all our agencies are abortive; all of them are defeated when the men are refused occupation at continuous industry and productive labour. Shall our State prisons become instruments to make men worse, to destroy them, to degrade their bodies, to wreck their minds, to debauch their morals?" In his report of 1889 he said that while the prisoners were kept steadily at work, "there was not a man among them who was not by reason of such labour a better man as a prisoner and better for the prospective free man and citizen he was to be. The criminals were deprived of the salutary influence of the most regenerating remedy that prison reformers ever found for relief and reform. Sickness, insanity and death attacked the wretched imprisoned men as they never did before under the reform industrial system of management. The reports of the wardens, physicians and chaplains show that the moral and sanitary condition of the prison population culminated in its highest excellence during that period in which work was most regular." The change was introduced in the Auburn prison at an earlier date and the warden reported: "In the brief period which has elapsed since systematic daily labour was abandoned, impaired health is apparent in many cases, disobedience and a reckless disregard of the rules of the prison are more frequent, discontent is on the increase and the evil tendencies of bad natures are gradually, but surely developed." The prison physician reported that the prison officials were doing all in their power to counteract the evil effects of enforced idleness, but "struggle as they may pale faces, ruined constitutions and immoral habits must be the inevitable result. Men will stand confinement for a short period, but continuous confinement is inhuman and cruel and has not the least aspect of Christian civilization." The chaplain said, "Those who have been so long without work seem to be falling into a kind of semi-fatuous condition, some very near insanity, forty-three having been sent to the asylum for insane convicts during the past year, while immoral habits are sending many to the hospital. I do not believe the State fully realizes the immense amount of mental torture and distress this punishment of idleness is inflicting on these men. . . This tax upon the brain is far worse than to cover the body with scars. Wounds on the body will heal but the defective brain keeps on its rapid decline until mind and body cease to act and think, and drop together into the grave." In his report for 1889, the physician of the Sing Sing prison says, "The abolition of all forms of productive industry was a crime against humanity, an outrage upon the physical, mental and moral well-being of the convicts without even a shadow of

propriety and utterly devoid of excuse as a matter of public policy. In this institution it has resulted in unquestioned general physical and mental deterioration, an increased hospital record, a death rate swelled by more than fifty per cent. and a deplorably increased insane list." . . There are physiological evils directly connected with this idle condition which are unfortunate in themselves, far-reaching in their ramification and which will cling to many of the convicts while they live. From October 1st, 1887, to September 30th, 1888, out of a daily average of 1,534, only four were sent to the asylum for insane convicts. For the year just closed out of a daily average of 1,448, thirteen were sent to the asylum."

It was well perhaps that the evil effect of enforced idleness on long term prisoners should thus be manifested to a people so ready to make experiments in everything. In some of the prisons the effect of the law relating to labour was not so bad. When the comissioners visited the penitentiary on Blackwell's Island, a municipal institution in which over eleven hundred men were then confined, the only "power" used in the immense workshops was that furnished by the labour of two gangs of men who worked alternately in turning a great wheel. In this prison the manufacture of iron bedsteads and other articles required in the charitable and penal institutions of the city seemed to afford sufficient employment at the time. At the Elmira reformatory 250 men were employed in the manufacture of hardware, 191 in making brushes, 68 in making brooms, 31 in making tinware, 39 in making chairs, 32 in making pipes and wooden novelties, 25 in making packing and paper boxes and 218 were otherwise engaged when the law went into operation. Now the law prohibits expressly the employment of prisoners in the reformatory at making either stoves or hollow-ware; in effect it prevents chair-making, brush-making, broom-making or pipe-making and limits the number to be employed in the manufacture of hardware to 120 and in making tinware to 25; woodturning is also permitted. The loss in this institution is chiefly pecuniary. Technological instruction has been largely substituted for productive employment. Men taught bricklaying or plastering, pull down the walls as soon as they are built and the mortar before it dries. Men taught stone-cutting, cut the same stone over and over again until none is left. Military training and gymnastic exercises occupy much of the time that but for the change in the law would probably be devoted to productive labour.

The New York law of 1889, the latest on this subject it is believed, provides that the prisoners in each state prison shall be instructed in the trades and manufactures conducted in the prison or in other industrial occupations, and also in the useful branches of an English education, the time devoted to literary instruction not being less than an average of an hour and a-half daily, Sundays excepted, between the hours of six and nine in the evening. For industrial and other purposes the prisoners are to be divided into three classes or grades, "those who appear to be corrigible and less; those appearing to be incorrigible or more vicious but so competent to work and reasonably obedient to prison discipline as not seriously to interfere with the productiveness of their labour or the labour of those in company with whom they may be employed, and those appearing to be so incorrigible, insubordinate or incompetent as to seriously interfere with the discipline of the prison or the productiveness of the labour." The labours of the prisoners of the first grade the law declares "shall be directed with reference to fitting the prisoner to maintain himself by honest industry after his discharge, as the primary or sole object of such labour and such prisoners may be employed at hard labour for industrial training and instruction solely, even though no useful or saleable products result from their

labour; but only in case such industrial training or instruction can be more effectively given in such manner. The labour of prisoners of the second grade shall be directed primarily to the production of the greatest amount and value of useful and saleable products, but secondarily to fitting such prisoners to maintain themselves by honest industry after their discharge from prison, even though their labour be rendered thereby less productive. The labour of the prisoners of the third grade shall be directed solely to such exercise as shall tend to the preservation of health or the manufacturing, *without the aid of machinery*, of such articles as are needed in the public institutions of the State or such other manual labour as the Superintendent of State prisons shall direct which shall not compete with free labour." This division into classes Mr. Russell, Warden of the Massachusetts State prison, regards as "an advance in prison management." The Superintendent is required to cause all prisoners "physically capable thereof to be employed at hard labour for not to exceed eight hours of each day other than Sundays and public holidays." By another section the Superintendent is required to "select diversified lines of industry with reference to interfering as little as possible with the same lines of industry carried on by the citizens of the State, and also with reference to employing the prisoners so far as is practicable in occupations in which they will be most likely to obtain employment after their discharge." Another section says, "the total number of prisoners employed at one time in manufacturing one kind of goods which are manufactured elsewhere in the State shall not exceed five per centum of all persons within the State employed in manufacturing the same kind of goods as shown by the last United States census or State enumeration except in industries in which not to exceed fifty free labourers are employed; provided that not more than one hundred prisoners shall be employed in all the prisons of the State in the manufacture of stoves and iron hollow-ware, and that not more than one hundred prisoners shall be employed in all the prisons of the State in the manufacture of boots and shoes, and provided further, that no prisoner shall be employed upon any one of the said specified industries in any of the penitentiaries, reformatories or houses of correction in the State, except in making articles for use of the public institutions of the State." The Superintendent is to cause articles required for the public institutions to be manufactured in the prisons. Such goods are obtained on requisition from the managers of the institutions, and the prices are fixed by a board composed of the Comptroller, the Superintendent of prisons and the President of the State Board of Charities," and no article so manufactured shall be purchased for the purpose of such institutions unless the same cannot be furnished upon such requisitions."

The limitation as to the number of prisoners to be employed in any industry has been found to be most embarrassing by wardens and superintendents. In several cases the limitation rendered unprofitable industries previously profitable. Sing Sing, which in 1886 had a surplus of $75,066, had in 1889 a deficit of $131,738. The labour problem was still unsolved, several new industries were under experiment. On September 30th, 1889, 59 were employed in laundry industry, 43 in stove industry, 100 in the shoe industry, 168 in picking and sorting rags, 17 in making overalls, 233 in making clothing, and 168 in what is described as the manufacturing account industry; 302 were employed in various domestic and other occupations, and 296 were idle—making a total of 1,386. The reports from the other prisons of the State were similar. Five hundred of the prisoners in the Auburn prison were still idle because the warden was unable to select what industries it was suitable to carry on by convict labour within the limits of the law. In the Clinton prison with a population of 850 employment of a desultory kind had been found for only 68 men. Mr. Brockway in his report

for 1889 says, "the approved plan for carrying out this law is to introduce several manufacturing industries diversified to meet the capabilities of the prisoners."

In the State of Massachusetts similar laws were passed for the regulation of prison labour. In 1883 it was enacted that "the number of inmates of any prison in this commonwealth who may be employed in the industries hereinafter named should be limited as follows: in the manufacture of men's, boys' and youths' boots and shoes not more than 150; in the manufacture of women's, missess' and children's boots and shoes not more than 150; in the manufacture of hats not more than 150; in the manufacture of brushes not more than 100; in the manufacture of wood mouldings not more than 100; in the manufacture of harness not more than 100; or in any other industry not to exceed 150. This continues in force in part as an Act of 1888 provides that 'the number of persons employed in any industry in the State prison, Massachusetts reformatory or reformatory prison for women, or in any house of correction shall not exceed one-twentieth of the number of persons employed in such industry in the state according to the classification given in the census of 1880, unless a larger number is needed to produce articles to be supplied to state and county institutions. If said classification does not give the number employed in any industry in the State the limit to the number who may be so employed in any institution in any industry shall be as provided by chapter 217 of the Acts of the year 1883; provided, however, that 250 prisoners may be employed in the manufacture of brushes at the house of correction at Cambridge upon the public account system so called. The Act of 1887 provided that "No new machinery to be propelled by other than hand or foot power shall be used in any such institutions."

The warden of the Massachusetts State prison has been able to provide employment for the 580 prisoners in his charge; but when some of the commissioners visited the prison he complained of the legal restrictions as hampering him very much and compelling him to employ several of the prisoners at unprofitable work. In his report he anticipates that much of the machinery which he is not allowed to replace will be worn out and will cost more for repairs than new machinery would cost, and says: "I am satisfied that unless we have the same chance that other manufacturers have we cannot make the prison self-supporting. The legislature would help the prisoner to help himself in no way better than to teach him how to work with the implements used in the best shops outside the prison. Many of the men here have such employment and easily adapt themselves to such conditions. Teach a young man to work by the best methods, even at a loss, while he is under apprenticeship and then, if he is bound to return to prison put him at least where he can do no harm to others."

The receipts of the Massachusetts state prison were for brushes $36,023; for work in gilding $36,737; for harness department $54,273; for shoe department $148,544; for trunks $12,034; for tinware $2,290; for wire beds $468; total $290,372 on which deducting cost of materials and tools and the amounts paid as salaries there was a profit of $65,511, the total number of prisoners on Sept. 30th, of that year being 564.

The Revised Statutes of Ohio provide that the Warden under direction of the board may employ a portion of the convicts in the manufacture of any article used by the state in carrying on the penitentiary and may also procure machinery and prepare shop room for that purpose and employ such persons as may be necessary to instruct the convicts in such manufacture" and also that "no work, labour or service shall be performed by a convict within the penitentiary except as herein provided for unless it be expressly authorized by the Board." The published regula-

tions of the Board direct that a prisoner when received shall after due preparation be assigned to suitable industry. In fact the industries of this prison are carried on with much vigor and on a large scale. The workshops and machine shops it is said cover fifteen acres of ground and in these, when the commissioners visited the prison, 1,589 men—less those engaged in house work and the sick—were employed in foundry work, making stoves, making and enamelling hollow-ware, making agricultural implements, hardware, woollen goods, and a great variety of other articles. There is a general superintendent of industries, who in subordination to the Warden, has charge of the various works. All the systems of diposing of the labour of the prisoners were in operation in this prison. The report for 1889 states that at the close of that year, 539 were employed on piece price labour; 435 on contract labour; 13 on surplus labour; 149 on State account labour, and 361 were non-producers. The piece-price men and the contract labour men worked for a bolt works' company, a chair company, a saddlery hardware company, the Ohio Tool Company, and eight other companies whose specialty is not named; and 149 men worked for the State, at construction of prison buildings, at a flour mill, at gas works, at a printing office, at making clothing, shoes and tobacco, in a woollen mill and in a tin shop.

In the Illinois State prison at Joliet, in which during the year 1888, the number of convicts was generally about 1,300, the earnings of the convicts under a contract labour system amounted to $222, 979 in 1887, and to $197,098 in 1888, the number of prisoners having been larger in 1887 than in the latter year.

The Commissioners in charge say, "Experience has shewn that this institution can only be self-sustaining when it has from 1,400 to 1,500 prisoners under contract." A change was to be made on August 1st, 1889, which would put an end to contracts under which 305 prisoners were employed. Of this they said, "It will be seen that we must incur a heavy outlay for shops, machinery, tools, and material with which to employ this large number of men in such manner as the law will permit." They feared that under the changed circumstances their deficiency would be very serious.

A few years ago, what is known as the contract system prevailed almost universally in the prisons. In several it is now absolutely prohibited by the law of the State. The law of Massachusetts passed in 1887, enacts that "no contract shall hereafter be made for the labour of prisoners confined in the State prisons, reformatories or any of the houses of correction." In other states the system is prohibited, directly as in Massachusetts, or indirectly as in the state of New York.

The rate of wages paid under the contract system varied. In the Massachusetts State prison, those engaged in the manufacture of spring beds and other work requiring skill, were paid for at the rate of 30 to 50 cents per day, but in one of the houses of correction, only 8 cents per day was paid; in another 10 cents; in another 13 cents, and in others 15 cents. The prisoners in these were chiefly for short terms and were unskilled. In other prisons the earnings were higher. In the New Jersey State prison, the average earnings in 1889 were 42.56 cents a day, and there was an agreement that the average should be brought up to 50 cents. In the Illinois penitentiary the average contract price per man per day was 62.71 cents, and the average for all prisoners, productive and unproductive, including Sundays and holidays was 42.31 cents.

The objections urged against the contract system, are that it places an authority between the officers of the prison and the prisoners—exposes the prisoners to contact and communication with carters and others employed by the

contractors, leads in many cases to improper understandings and arrangements with contractors or their foremen, and that it is for all these reasons subversive of discipline and calculated to unsettle the minds of the prisoners and prevent their reformation. Others contend that matters may be so arranged under the contract system that discipline and the authority and influence of the prison officers could be fully maintained. Dr. Byers, who was for many years chaplain of the Ohio penitentiary, and afterwards secretary of the Board of State Charities, saw all the systems in operation in the penitentiary of that State, and was strongly of opinion that the contract system is the best for the prisoners and for the public. Probably the chief reason for the abolition of that system in the manufacturing states, was that the labour organizations regarded it as rendering the competition of prison labour more hurtful to honest workmen than it could be under any other system. Manufacturers who pay only from 30 to 60 cents per day for men's labour, can, it is urged, undersell those who pay fair wages, even though prisoners do not do as much work in a day as free workmen do.

The "piece price" system has in some cases been substituted for what is called the contract system. The law of the state of New York which expressly permits the work in prison to be carried on under that system says, "by the piece price system is meant the system by which the state receives payment for the products of the labour of the prisoners upon materials and machinery furnished by the person making such payment or furnished partly by such person and partly by the state." This is really the contract system in another form, and it is objected to it that the contractor especially when he does not furnish the material may object to receive as of a proper character many articles so manufactured, discovering flaws, blemishes and imperfections, which never would have been noticed under the other contract system and forcing the agent or warden to sell these culls at lower prices.

Mr. Massie, warden of the Ontario Central Prison states that so far under the working of the piece price system in that prison the articles rejected for all causes have been very few. The superintendent of prisons of Massachusetts in his report of 1888, states that the law of that state as interpreted by the Attorney-General prohibits working under this system, which was in operation in the Reformatory for men and in the Reformatory for women. He says:—"That system is well adapted to the county prisons and to the two reformatories. It has been tried at the Reformatory prison for many years and so satisfactorily that no one has ever suggested the desirability of a change. The control and discipline of the institution is entirely in the hands of the administration and all the friction which grows out of the contract system is avoided." On the other hand the supervisor of the New Jersey state prison in which there are from 870 to 940 prisoners said in his report for 1887, "the second year's experience in working the prisoners under what is known as the 'piece price' plan seems to afford no element of hope that either as a revenue measure or as a preventive of undue competition with honest labour will it ever be even as potent as the contract system which it supplanted. In its practical working it is but a modification of the old system possessing all its evils and none of its advantages." The lowest contract price received he said was 50 cents per day per prisoner; under the 'piece price' system the production was large, but the average earnings were only 40 49 100 cents per day. In his report for 1888 he states that under the 'piece price' plan the limit of earnings seemed to be 40 cents a day for each man; that the loss to the prison on the year was $14,521 and that "if the admissions of contractors working the prisoners under both systems be reliable there is an advantage of at least 25 per cent. in production to the contractors under the "piece price' plan," because

"under the contract system the state had no responsibility for quantity of product and but little for quality while under 'piece price' the state is compelled to force production having at the same time regard to quality in order to make the unavoidable annual deficit as small as possible."

The evidence of the warden of Ohio penitentiary on this point is of much interest, as both the contract and the piece price system were in operation in that institution. It was the intention to adopt the piece price system altogether when the existing contracts expired. Under the piece price system, the warden said, "the work must be up to a certain standard. If a man makes 25 pieces and the work is not acceptable to the contractor, the state loses the entire labour of the man. The officer called 'a piece price superintendent' and the contractor examine the work. If they disagree they call in the warden or some other man and his decision is final. It is almost impossible to adjust all cases satisfactorily, there are so many things to be taken into consideration. Sometimes on account of inferior quality of material trouble arises. There is so much complexity that it is difficult to come to a reasonable conclusion." He thought the contract system better for the state and for the prisoner. The contractors prefer the piece price system as they only pay for what they get, and for what is "up to the highest standard in point of workmanship." "The piece price system does more injury to the labouring classes outside, because it enables the contractors to sell their products at lower prices. The outside workers will not listen to this; they are purblind and the politicians do not want them to hear, because they have got a rope round their necks. The prison suffers and the workingman does not see that he is hoodwinked. Last year there were 539 employed on the piece price plan and the daily average price of their labour was 60.31 cents. 435 worked under the contract plan and they earned 65.58 cents. The men work ten hours a day." The warden said he maintained strict discipline and prevented all secret understandings and arrangements between contractors and prisoners.

Dr. Byers said that the piece price plan was adopted avowedly to give the prison authorities complete control of the labour of the prisoner and break up a system of abuse of prisoners by contractors; but the real ground of the change, was that the labour organizations demanded it and the politicians gave it to them without any consideration. The worst thing, he said, for free labour so far as prison labour was concerned was the abolition of the contract system. Under it free labour has less competition than under any other plan.

The public account system, the New York statute describes as "the system by which the state furnishes machinery and material for the labour of the prisoners and markets the products of such labour thereon." The New York statute also provides that it "shall be the duty of the superintendent of state prisons and reformatories and agents and wardens thereof, to obtain the full market rates for all the products of the labour of prisoners of such prisons, whether manufactured under the piece price system or under the public account system. But none of the products of the labour of prisoners shall be sold for less than ten per centum in excess of the cost of the materials used in the manufacture of such products."

The obvious objections to this system are, that to make it workable, the chief officer of the prison must be not only a man especially qualified to control and manage prisoners and promote their reformation, but that he must also be possessed of business faculties such as belong to few men—must know what manufactures will prove most profitable in his prison and at the same time be most useful for the purposes of reforming prisoners, how to buy materials not for one kind of manufacture but for several; how and when and to whom to sell; and a

man who has to provide work for a thousand or fifteen hundred prisoners and dispose of the productions of their labour profitably, cannot reasonably be expected to pay that attention to the moral improvement of the prisoners which should be the chief duty of warden or superintendent. It was urged in some cases that the management of the industries should be entrusted to an officer especially selected for that duty; but this seems to have been regarded as essentially a division of authority and responsibility such as must prove injurious. It was urged also that under the public account system the industries would be conducted in a perfunctory, wasteful fashion, and must result in loss.

Mr. Carroll D. Wright, appointed a commissioner of labour under a resolution passed by the United States Congress in 1886, in his report says, that "hand labour under the public account system offers many advantages over any other plan that has been suggested. It involves the carrying on of the industries of a prison for the benefit of the state but without the use of power machinery, tools and hand machines only being allowed, the goods to be made to consist of such articles as boots and shoes, the coarse woollen and cotton cloths needed for the institution or for sale to other institutions, harness and saddlery and many other goods now made by machinery or not now made at all in prisons. With such a plan in vogue throughout the United States there could be no complaint as to the effect of convict labour upon the rates of wages or upon the sale of goods either in price or in quantity. The convicts would be constantly employed under the direction and supervision entirely of the prison officers. None of the objections or disadvantages arising under the contract system or the piece price modification thereof or under the public account system with power machinery can be raised against this plan. The adoption of it would leave the state free to undertake the very best and most harmless efforts for the reformation of prisoners. . . . The chief aggravation in the employment of convicts in productive labour arises from the use of power machinery."

General Brinkerhoff, in a paper read before the National Conference of Charities and Convictions at Omaha in 1887, stated that of all the goods produced in thirty-two of the industries in which convicts are employed in the prisons of the United States, only 2.5 per cent. is produced by the convicts calculating that a convict does as much work as a free labourer; but making due allowance for the fact that the producing power of convict labour is fully one-fourth less than that of free labour the actual product of convicts is less than two per cent. of the total production of free labourers in the same industries. That competition to this extent "should be fraught with the direful consequences claimed is simply impossible," he contended. The official statistics of the Commissioner of Labour show that the product of convict labour compared with the product of free labour is only fifty-four one hundredths of one per cent. and therefore he contended, "is practically infinitesimal in its aggregate influence." "Among penologists he said the question of abolishing contract labour in prisons is practically settled in the affirmative." Without efficient administration no system will work well, but with this the state account system is best. He puts his conclusions as follows:

"The contract system of prison labour as a rule is more profitable to the state in dollars and cents than any other; but on the other hand for reformatory purposes it is more objectionable than any other."

The entire management should be organized "upon the basis of integrity, capacity and experience. Prison officers like army officers should have a special training for their work, and promotion should come solely through honourable and meritorious service."

"All prisoners of a state should be classified and each class should be assigned to a prison of its own."

"In the prison set apart for those serving life sentences, which should also include incorrigibles and convicts over thirty years of age, the contract system very appropriately could be retained entire, for there is no reason why this class of prisoners should ever be made a burden upon the tax-payers."

"In the prison set apart for young men under thirty years of age and convicted of their first offence, the state account system, as a rule, would be found the best for reformatory purposes although the piece price plan would sometimes be found equally available and more profitable in dollars and cents; but under either system, educational and technological training should have the larger consideration."

Wherever the public account system has been introduced the wardens and other chief officers of the prison, as far as could be learned, approve of it, preferring it to the contract system in any form. It is said also to be found less objectionable than the contract systems to the labour organizations, Warden Brush of Sing Sing, in his report for 1889, said, "When the contract system was abolished almost every one was of the opinion that the prisons would run into extravagance and corruption and that it would be impossible to manage them honestly under the state account system. This theory is entirely contradicted by our experience here for the last twenty months. Less goods have been damaged or stolen than in the same period of any part of the contract system and fully as much work has been accomplished." The warden of the Auburn, N.Y., State prison, in his report for the same year said, "experience in the working of this (the public account) system convinces and strengthens me in the opinion that it is the best system of labour for convicts that has been yet devised." He admits that it is to some extent competitive with free labour, but argues that "no plan has yet been suggested involving the economic employment of convicts that can remove all competition." This competition, he thinks, cannot be so formidable as many assert, the convicts in the prisons of the state being less than one thousand to each million of the population. The warden of the Clinton, N.Y. State prison, said in his report for that year, "I have in previous reports expressed my favourable opinion of the system of work on public account, both as a means of revenue to the state and as a disciplinary measure, and am quite ready to confirm all that I have so said and to add my fuller appreciation of its value in respect of these desiderata when, notwithstanding the indifference which has characterized the action of the Legislature in its treatment of this subject, it is able to show (for this prison) at the end of a nominal three years and ten months of operating including the loss incident to a public sale of our product on hand net earnings of $196,000."

Mr. Russell, warden of the Massachusetts State prison, spoke of the public account system as very satisfactory. He bought materials wherever he found them cheapest and best. He put his products on the market as manufacturers do, and never found any difficulty in disposing of them at fair market prices. The law directs him to provide tools, machinery and materials. Mr. Nicholson, Superintendent of the Detroit house of correction, in his report for 1888, replying to those who affirm that no man living is capable of running a prison, disciplining his officers, his foremen and employés, keeping harmony amongst the keepers and instructors, keeping up the discipline of the prison, buying the supplies and doing all the other necessary work and at the same time be able to manage a manufacturing business," says "such twaddling verbiage has the merit of being misleading and from such only emanates all the opposition to the state account system of prison

labour. I readily admit that the state account system entails addition labour and responsibility upon a warden; but are not wardens employed to work for the interests of the people and those committed to their charge in preference to the interests of contractors? The chief industry in the prison is chair-making. "To the commissioners, Mr. Nicholson said "Our system is that known as the state account system. I buy all my own materials and I sell the product in the open market. I employ only one traveller. I do not undersell other manufacturers. We keep the same rate that they do, but in my opinion we make a better article. The accounts which I submit to the Board at the end of the year show the whole working of the institute. Last year the entire cost of maintenance, $61,678, and of repairs, including a new roof to the chapel and a new iron fence, was paid out of the earnings and I paid over a surplus of over $15,000. Some years I have had a surplus as high as $50,000. There are three chair making establishments in Detroit now and the industry has practically been developed since we began. One of these is larger than ours." In the Cleveland, O., workhouse in which some 450 persons are confined, brush-making is the principal industry. Mr. Patterson, the superintendent said, "We buy the material, manufacture the goods and sell them in the open market and then put the money in the treasury. This does not conflict with outside brush-making. I find that somebody in some part of the country or other is competing with us all the time and underselling us."

The board of charities and correction of the state of Minnesota in their report for 1889 say, "the last Legislature passed a bill annulling the contract for the labour of the convicts. It is exceedingly unfortunate that the Legislature in terminating the contract system of labour did not provide one to take its place. The problem of employing prisoners on the state account plan successfully is a difficult one and has been solved satisfactorily in only a few prisons of the United States. The most successfully public account prison financially is the Detroit house of correction which pays an income of $30,000 to $40,000 annually into the city treasury after paying all expenses. The house of correction at Milwaukee and the city workhouse of Cleveland are nearly self-supporting on the public account plan. The most successful public account prison from a disciplinary point of view is probably the eastern penitentiary at Philadelphia, Pa., where the convicts are employed at a labour without power machinery. In this case, however, the labour has not been largely remunerative, the prisoners not earning more than a third of the expenses. The state account system prevails also in a number of reform schools in the state prison at Ionia, Michigan, the state penitentiary at Alleghany, Pa., the state prisons of California and in part in the prison at Columbus, Ohio. The contract system has been annulled in the prisons of several other states. Thus far no very satisfactory results has been obtained. In Wisconsin the contracts, have been abolished by law, but the former contractors continue to work the prisoners on the old plan by a tacit understanding without any contract paying monthly into the treasury at the former rate. No more important question will confront the Legislature than this of convict labour. The financial interests are considerable since the State heretofore has derived an annual income of $40,000 to $50,000 from convict labour. But the interests of the prisoner are even more important. It is universally conceded that the reformatory treatment of prisoners is impossible without systematic and productive labour. The successful organization of such labour is a problem of considerable difficulty as is demonstrated by the long line of failures."

The state law above referred to provides that "No more contracts shall be awarded, but all convict labour shall be employed under the direction of the chief officer having charge of such convicts.

"That all convicts shall be employed in the manufacture of such articles as may be deemed to be of the most advantages—first, to aid the convicts in reformation so as to enable them to earn an honourable living; second, to cheapen their cost to the state or municipality.

"The products to be sold at wholesale prices to be determined by the published prices current in quantities of not less than $50 worth for cash or securities approved by the warden.

"The State is prohibited from taking any contract to furnish any material or article into which convict labour may have entered, and hereafter no labour shall be employed for wages in any prison in this State on any article or thing to be sold that will come into competition with free labour."

The inspectors of the Minnesota state prison thought it would be well before attempting to put into operation the system thus forced upon them to visit some of the most important prisons of the United States, especially those in which public account system prevailed and learn what they could of the workings of that system and its merits as compared with other systems. In their report published, by order of the Senate, they describe what they saw in the chief penal institutions of Michigan, Illinois, Massachusetts, Connecticut, New York, Pennsylvania and Ohio, and report the opinions expressed by the wardens and other persons of experience in these States. These opinions it may be well to state in brief.

Superintendent Felton of the Chicago house of correction said, "The question of competition with free labour ought not to enter into this discussion. Prisoners must work. Their labour to have any reformatory value must be productive and some competition with free labour is unavoidable. There is no special objection to the contract system, but it is not the best system. The best system, the correct system, is the state account system. In order to reform men and fit them for self support prison industries ought to be organised and conducted like private industries." Mr. Felton stated the conditions which he regards as essential to the success of this system. They are in effect that it should be conducted by competent men on business principles. The industries pursued, he said, should be those in which the value of the product consists largely of labour and the material is cheap.

In the Michigan state prison, the public account system was in operation in one shop. Warden Hatch said that wherever it was adopted the warden ought to have large powers and to appoint all subordinate officers, subject to the supervision of the inspectors. He thought that the competition with free labour would be as great as under the contract system or greater. He thought the time and efforts of the warden and his subordinates ought to be used for the elevation and reformation of the man and not for carrying on business."

Superintendent Brockway said "there is no inherent difference in competition. If you leave out the question of reformation, I would just as lief have one system as the other. But if you wish to reform the prisoners, the contract system is objectionable.

Warden Brush of Sing Sing said, "I was like all other prison men who had the contract system in the prison—believed no other system could be made to pay the state. I have changed my mind radically; I believe that the state account system properly managed will give the authorities much better control of the convicts and will pay the state better. In order to make it a success you must have liberty of action. The men are much more cheerful under this system. The labouring element has some right that should be respected, viz: that the in-

dustry shall be one that is strong in the state and not one that is weak. I would not allow any industry to be ruined by your prison labour.

Warden Russell of the Massachusetts state prison said. I like the public account system, because it gives me more complete control over the employes. I think the results prove that the public account system is better than the contract system. Under the contract system we were apt to have men as instructors who were not the best men. We had power to exclude them, but naturally hesitated to exercise it.

The piece price plan was in operation in the Massachusetts reformatory for men. Mr. Tufts the superintendent considered it much more preferable to the contract system on disciplinary grounds.

The warden of Connecticut state prison stated that the contract system under which the labour is there organised was very satisfactory. Judge Wayland, one of the board of inspectors said, "I have long contended that the contract system properly regulated is the best system and that ultimately the prisons of the country will have to come back to it. We have never had any quarrel with the contractors, and I am satisfied that the prisoners have not been oppressed in any way. Year by year the labour men go before our legislature, but they have not been able to show a single good cause of complaint. On one occasion we asked them to bring forward a single manufacturer of the state who would say that his business had been injuriously affected, At my request the legislature adjourned two weeks to enable them to find such a man. At the end of that time they brought forward one small manufacturer of planes who thought that he was injuriously affected by the manufacture of planes in the Ohio state prison; they could find no other. All prison labour necessarily competes in some degree: it is inevitable. But there is not so much competition by the contract system as by the public account system. If you go into the public account system you have to face the difficulty of getting a warden and a business man united. The system broke down in Maine—right here."

Mr. W. M. F. Round said that the condition of things in Connecticut is exceptional. Men like Judge Wayland and Charles Dudley Warner exercise a close watch on the contract system there.

Mr. Pillsbury, warden of the penitentiary at Blackwell's Island, said, "I think the state account system more injurious to outside labour than the contract system. The state must sell its goods at some price, whether profit is made or not. There is no occasion for any interference with the best interests of prisoners under the contract system. I would not allow any free labour in the prison, except instructors, on any account. It is not right and causes demoralization. I believe in productive labour for prisons. Prisoners feel it very bitterly when they are put upon unproductive labour, such as wheeling bricks from one place to another, piling them up, and then wheeling them back again. It is a bad system to allow overwork to be paid for by contractors. It gives an advantage to the more skilful prisoners and discourages others. If any money is paid to the men it should be paid in such a manner as to benefit all the prisoners alike who are entitled to it by their conduct.

The western penitentiary of Pennsylvania, formerly "An individual treatment" prison, is now conducted on the public account system. Mat making was adopted as the chief industry because it would not compete with other industries in the state. The demand for mats is not sufficient to keep all the prisoners employed. Warden Wright said, "We do not like the state account system at all. The contract system is better for the taxpayers and for the prisoners.

Overwork enables the prisoner to earn cash for his family and for his own use when released. We cannot allow overwork under state account. Under our contracts the contractors had nothing to say about tasks. We regulated all tasks. We averaged not on the best but on the average workman. The men worked eight and a half hours.

The Inspectors in reporting their conclusions say that "labour is indispensable to convict life, and that, to be of a reformatory character, labour must be productive, which means producing something useful for consumption which must necessarily go into the world's markets on the same footing as any other product of labour." They also say, "We are convinced that in the institutions where the contract system is still retained, and has not been disturbed by adverse and unfriendly legislation, the best results have been attained. More cheerfulness and better order prevail, as well as better results financially. Therefore we do not hesitate in recommending that the Legislature pass such laws as will permit the reinstating of the contract system, believing, as we do, this to be the best system so far devised or practised in this country when surrounded with the most careful and guarded conditions."

The State of Illinois in 1886 adopted an amendment to its constitution prohibiting contract labour in any penal or reformatory institution of the state, although the warden of the state prison at Joliet, which as an industrial institution was accounted one of the most successful in the county, said to the Minnesota Inspectors, "So far as the financial result is concerned the contract system is preferable to any other. There are no objections to it in a prison of this kind—a penal institution. In an institution in which the prisoners are graded it would not be a success. I do not think that the contract system has interfered with discipline in this prison." In May, 1889, a resolution was passed by the Legislature directing that a joint committee, composed of three members of the House of Representatives and two members of the Senate, be appointed "to visit and investigate our own prisons and the prisons and prison systems of other states, and report to the next General Assembly, recommending such a law as shall secure to us the best methods for the establishment of a reformatory, and for the general management of our penitentiaries whenever the present contract system of labour shall expire." The committee appointed by virtue of this resolution, appointed Dr. Frederick H. Wines, secretary of the State Board of Public Charities, its secretary and visited the state prisons and other penal and reformatory institutions in Indiana, Ohio, Pennsylvania, Maryland, New York, New Jersey, Rhode Island, Connecticut, Massachusetts, Michigan and the District of Columbia. In their report, published in February, 1891, the Joint Committee say:—

"Almost any industry which can be successfully and profitably carried on by private parties, can be conducted with equal success in prison, provided that the authorities in charge are possessed of adequate business experience and capacity." They quote what Warden Brush, of Sing-Sing, said of the advantage of the public account system—that it is more profitable to the State than the contract system, and that the control and discipline of the convicts is more easy and thorough when they are at all times in the shops as well as elsewhere under the complete control of officers appointed by the warden without suggestion or interference on the part of contractors. They say that "the competition of convict with free labour is to some extent injurious to the latter; but the amount of injury done is almost infinitesimally small, in view of the fact, that the prison labour of the country bears such an insignificant proportion to the total amount, constituting as it does, but a fraction of one per cent. It is absurd, they say to suppose that the slight interference can have any serious effect upon the

amount of work available for honest labour, or upon the price of goods manufactured in prisons. Furthermore, the loss resulting to honest labour from such competition is less in the aggregate, than would be the cost of maintaining the prisoners in idleness, which would have to be borne from the public treasury, and the taxes collected for the purpose would in any event be an ultimate charge upon labour." They argue that it is right to provide employment for those who know how to work, and technical education for those who do not. Of the use of machinery, they say, "As to the use of machinery in prisons, the form of pretty much all labour since the invention and common use of machinery has changed so that there is little room or scope for purely manual handicrafts, and if a prisoner is not taught to labour in connection with machinery, his opportunities for employment after release are reduced to a minimum. It is also true that a discharged convict can usually find employment more readily in a large manufacturing establishment than elsewhere, owing to the fact that there he is under constant observation, and his opportunities for theft are comparatively slight." The selection of industries they think should be left to the prison authorities; but they say, "it is possible that the injury resulting from the competition of convict and free labour may be reduced to a minimum by legislative restrictions, either upon the character of the labour to be performed, or upon the number of convicts to be employed in any one productive industry." The piece price plan, the committee say, is a compromise by which the introduction into the prison of contractors' men, the supposed tendency of contractors to overwork the men and other objections are obviated, but under which it is "far more difficult for the prison authorities to enter into any profitable agreement with the parties for whom work is done in the prison."

The commissioners have thought it desirable to put thus briefly yet fully all the evidence they have been able to obtain on a question of great importance in prison administration which as the contradictory statements of eminent penologists prove, cannot yet be regarded a fully settled.

Incentives to Industry.

In the British prisons labour is still regarded chiefly as punishment. It was not to be expected that while it was only so regarded prisoners would do any more of the work to which they were set than they must do to avoid punishment. The good time system when introduced was generally regarded as a great reform, but it soon became manifest that its effects were rather negative than positive. Prisoners became more amenable to discipline, obeyed the rules more carefully, were more respectful to their officers, and were so attentive to their work as to avoid an unfavourable report. But they took no interest in their work and did not acquire a habit of industry, because work performed under such conditions was always irksome. Labour was not used merely as a means of punishment in the prisons in which the ideas as to prison management now so general had their birth. In some of these the prisoners received the full value of all the work they did, and what they received they were permitted under certain limitation to expend for themselves and their families. This system under which the prisoner was required to work, but the products of his labour were treatad as wholly his own served for many years, but as a contrast to the general system under which labour was regarded as a punishment, and the prisoners had no right to any share in its products. Under this latter system, prisoners no matter how carefully instructed and trained in the industries in which they are engaged, do not do as much work in a day as free labourers working for wages must do; and in the opinion of many who have studied this subject carefully labour is not under this system so effectual a means of reformation.

Montesinos, the celebrated Spanish prison reformer, in a pamphlet which he published many years ago, says, "I sought by every means and at any cost to extirpate in my prisoners the lamentable germ of idleness and to inspire them instead with a love of labour. But as unproductive work in the prison could by no means effect this I made it a rule whenever anyone showed a disposition to labour but had no occupation which could contribute after his discharge to maintain him honestly to endeavour to procure him such, and for this purpose I sought to bring within the prison as many different workshops as possible, allowing him to choose among them what was likely to be most advantageous to him, and now there are about forty in all." This freedom of choice and hope of ultimate benefit he found to be insufficient, for he says, "I gradually acquired the intimate conviction that without the stimulus of some personal advantage accruing to themselves from their labour it is difficult to obtain work from the already skilled and almost impossible to get the unskilled to learn. Repeated experiments convinced me of the practical lesson involved in this maxim of social economy, and that what neither severity of punishments nor constancy of inflicting them could exact the slightest personal interest will readily obtain. In different ways therefore during my command I have applied this powerful stimulant and the excellent results it has always yielded and the powerful germs of reform which are constantly developed under its influence have at length fully convinced me that the most inefficacious of all methods in a prison, the most pernicious and fatal to every chance of reform—are punishments carried the length of harshness. Moreover the love of labour can not be communicated by violent means, but rather by persuasion and encouragement. And although it is quite possible to obtain a specific amount of work from prisoners by the aid of the stick, as is sometimes recommended by high functionaries in this department, yet the consequence is necessarily aversion for an employment which involves so many penalties and of which such bitter recollection must always be preserved, and the moral object of penal establishments is thus also in fact defeated—which should be not so much to inflict pain as to correct, to receive men idle and ill intentioned and return them to society if possible honest and industrious citizens." Montesinos states that after he adopted this principle the number of recommittals to his prison became very small, the health of the prisoners was excellent and the state of submission perfect.

Obermaier, the great Bavarian reformer, who governed the prison at Kaiserslautern from 1830 to 1836, when he was appointed governor of the prison at Munich, introduced the system of indeterminate sentence and the good time system and the system of allowing the prisoners a share of what they earned, and in a work published by him, he states that from 1830 to 1836 he discharged 132 criminals who had been sentenced to penal servitude for terms varying from five to twenty years and that 123 of these had conducted themselves admirably since their discharge, and that between the years 1843 and 1845, he discharged from the Munich prison "298 prisoners sentenced for various periods from one to twenty years, of whom 246 had been restored improved to society." Of the others 26 were of doubtful character, but had committed no offence, ten had again fallen into the hands of the police, eight were remanded and eight had died. An English clergyman describes this prison as a scene of great life and activity. The reduction in the term of imprisonment which the best prisoner could obtain was small compared to what prisoners can earn under the prison and reformatory systems of some of the United States, and the prisoner's share of his earnings was small compared with the rate of wages in this country. In the six years, from 1850 to 1855, the prisoners in the Munich penitentiary earned on an average £1 12s. 11½d., or about eight dollars, "deducting all expenses connected with and

arising from his employment." It should be remembered that wages were very low in Germany thirty-five years ago, and that the aggregate of such share of his earnings for ten or even five years was to the average prisoner no inconsiderable sum. This prison is now partly conducted on the cellular system.

In France prisoners receive of the proceeds of their labour in the following proportions: Those awaiting trial seven-tenths; those sentenced to imprisonment five-tenths; to detention five-tenths; to seclusion four-tenths; to hard labour three-tenths. One-tenth is subtracted for every previous condemnation, but the part going to the prisoners can in no case be less than one-tenth. Augmentations are accorded under the title of recompense; diminutions are imposed by way of discipline. The peculium is divided into two equal parts. One part may be used by the prisoner during his detention in the purchase of supplementary food and clothing within limits fixed by the rules or in aiding his family. The other is held in reserve for the time of his liberation. Juvenile offenders have no right to a peculium; but pecuniary rewards are distributed to them for good conduct, progress at school and application to labour.

In the prisons of Austria conducted on the cellular and congregate systems combined, the stimulants to obedience and industry are the hope of Imperial clemency which according to an ancient custom is extended periodically to a certain number of prisoners on satisfactory proofs of improvement; a share in their earnings in the form of peculium; the privilege accorded only to the well behaved of spending for present comforts one-half of what stands to their credit." These encouragements it is stated have worked well and greatly aided the discipline.

In the Swedish prisons the sum gained for the state by the male prisoners employed on compulsory labour is about equal to the cost of their food. The women earn about the cost of their food and clothing. The earnings are thus distributed: The prisoner receives two-sixths; the director for providing work, tools, etc., one-sixth; the keepers for surveillance one-sixth, the rest is deposited in the savings bank with a view to aid on their discharge prisoners who need such assistance and whose conduct during their imprisonment has been unexceptionable. Of the two-sixths the prisoner receives he may spend two-thirds in buying additional food but cannot exceed in such expenditure two francs a week. Some changes have been made in the method of distribution. The earnings of prisoners awaiting trial belong wholly to themselves except when the director provides the work for them, in which case he gets one-third. The daily earnings of male prisoners undergoing sentence, above what is allowed to themselves, are eight to ten cents, of females eleven to twelve cents.

In Belgium prisoners sentenced correctionally receive five-tenths of their earnings, and those sentenced to seclusion four-tenths. All prisoners are now correctionals and all are in hard labour.

In Holland, the portion of the earnings allotted the prisoners are: To civil prisoners sentenced to reclusion and to military prisoners forty per cent.; to the inmates of the central prisons fifty per cent., and to those confined in other prisons seventy per cent. These proportions are not increased by reason of the prisoner's good conduct. Premiums were distributed at one time, but these were abolished. The industry of the prisoner finds its recompense in the increase of profits.

In the Prussian prisons, in which the cellular system has been largely introduced, the labour of the prisoner was a few years ago and probably is still let at public auction to the highest bidder. One-sixth of what the contractors pay for the labour is reserved to be given to the prisoners in the shape of prizes for diligence; and to the end that an equitable distribution of this fund may be assured,

tasks have been fixed in all the different branches of manufacture. In each shop is found the list of tasks and of prizes corresponding thereto—simple prizes for those who have only accomplished the assigned task, and higher prizes (up to the maximum of five cents a day) for those who have done two or more times their task. A part of the premiums is at the present disposition of the prisoners to purchase books, snuff, and provisions, but not liquors. And if what is left at the time of their liberation does not exceed fifteen marks, the expense of their return home is paid by the government.

In Great Britain, in addition to the "good time" system, as originally carried out, a system of grades and badges and rewards in many forms has been adopted. This is said to work well. Prisoners in the higher grades receive also small pecuniary payments.

In the United States, the system of allowing prisoners a share in the products of their labour as an incentive to industrious habits has not yet been generally adopted, although the actual earnings of the prisoners have been larger in some of the United States than elsewhere. Dr. Wines, in his great work, tells of a prison in which barrels for petroleum were manufactured. The prisoners were paid a small price for every barrel made in excess of their task and they turned out more casks per man than any other factory produced, and the casks made by them commanded a higher price.

The good time system, the system of grades and badges and the parole system are in operation in the state prison of Ohio. In addition to these the system of allowing the prisoners to participate in the product of their labour has been introduced. An Act of the legislature passed in 1884, authorizes the warden to place to the credit of each prisoner (except those serving life sentence) "such amount of their earnings as the board of managers may deem equitable, and just taking into account the character of the prisoner, the nature of the crime for which he is imprisoned and his general deportment, provided that such credit shall in no case exceed twenty per cent. of his earnings. And the funds thus accruing to the credit of any prisoner shall be paid to him or his family at such time and in such manner as the Board of Managers may deem best, provided that at least twenty-five per cent. of such earnings shall be kept for and shall be paid to such prisoner at the time of his restoration to citizenship. And provided further that the warden may with the approval of the board of managers by way of punishment for violating the rules, want of propriety or any other misconduct cancel such portion of such credit as he may deem best." The report of the managers of this prison for the year 1889 says: "The board by resolution, within the past year, have ordered that the full amount of overwork earned by any prisoner be placed to the credit of the prisoner earning the same."

In none of the institutions visited by the commissioners did the prisoners appear to work with greater earnestness and energy.

In the state prisons of the state of New York, a law of 1877 authorises the discharge after a certain time, of prisoners who by their general good conduct deserve a remission of part of their sentence. The Fasset Bill passed in 1889 introduced the grade and badge and parole system fully, and further provided—section 108—that "every prisoner convicted in the state prisons who shall become entitled to a diminution of his term of sentence by good conduct while in prison, or confined in the New York state reformatory, at Elmira, may in the discretion of the agent and warden, or of the superintendent of said reformatory receive compensation from the earnings of the prison or reformatory in which he is confined, such compensation to be graded by the agent and warden of the

prison, for the prisoners therein, for the time which such prisoners may work but in no case shall the compensation allowed to such convicts exceed in amount ten per centum of the earnings of the prison or reformatory in which they are confined. The difference in the rate of compensation shall be based both upon the pecuniary value of the work performed, and also on the willingness, industry and good conduct of such prisoner." When the prisoner forfeits his good time for misconduct he forfeits out of the compensation so allowed fifty cents for each day of good time so forfeited. Prisoners serving life sentence are entitled to "the benefit of this section when their conduct is such as would entitle other prisoners to a diminution of sentence subject to forfeiture of good time for misconduct." The amount so placed to his credit, the prisoner may draw during his imprisonment "upon the certified approval of the superintendent of state prisons, for disbursement by the agent and warden of such prison, or superintendent of said reformatory to aid dependent relatives of such prisoner, or for books, instruments and instruction not supplied by the prison to men of his grade; or may, with the approval of the said superintendent of state prisons, be so disbursed without the consent of such prisoner; but no portion thereof shall be disbursed for indulgences of food, clothing or ornament beyond the common condition of the others in his class in the prison at the time. And any balance to the credit of any prisoner at the time of his conditional release as provided by this Act, shall be subject to the draft of the prisoner, in such sums and at such times as the superintendent of the state prisons shall approve; but at the date of the absolute discharge of any prisoner the whole amount of credit balance as aforesaid shall be subject to his draft at his pleasure." If a prisoner released conditionally violate the terms of his parole he may be declared by the board to have forfeited any balance to his credit.

In Minnesota, a good conduct fund was established under the contract system. The State Board of Corrections and Charities in their report for 1889 said, "The good conduct fund has been one of the most important features of the Minnesota State Prison. Its value has been recognized in other States, and efforts have been made to secure the adoption of the Minnesota law in Massachusetts. It is desirable, so to establish this important feature of our prison discipline that it shall be perpetuated whatever system of labour may prevail." They also say, "heretofore prisoners have received about nine cents per day, for each day including Sundays. It is believed that payment should be based upon working days, and that the adoption of grades in payment will afford an additional incentive to secure faithful and conscientious labour."

Of the Massachusetts State Prison, the warden in his report for 1889 says, "Under the rules no tasks are given, the men working steadily from bell to bell. No reward is offered for extra quantity and quality of labour except the usual allowance of tobacco. It would be a good thing to allow the men the fifteen cents which is the cost of the tobacco per week, in money, in lieu thereof." The warden also says, "I feel very confident that the law passed by the New York legislature this year, dividing criminals into classes is an advance in prison management. If we do not adopt such a scheme, we must be close observers of the experiment." To the commissioners, the warden of this prison said that prisoners did not do as much work as free workmen are expected to do. They do merely enough to prevent their incurring any danger of punishment.

In the Ontario Central Prison, the prisoners are paid for all the work they do in excess of the task assigned to them; but there is no system of grades, marks, parole, or reward for good conduct.

In the Kingston penitentiary, the good time system is in operation, but there is no other incentive to industry or good conduct. The warden, Dr. Lavell, thinks intelligent labour better for the health of the prisoners, mental and physical, and essential to discipline. That labor is best which will draw out intelligent thought. His ideal system of employment is the state account system. He thinks it very desirable to give the convict an interest in the product of his labour; the only true system having reference to the reformation of the convict. "If the prisoner had a family in destitute circumstances, his share of the earnings should go to them. He thought this would have a better effect than retaining it all, to be given to the convict at the end of his term. Such a system, he thought, would relieve the prisoner of some of the anxiety the married generally feel about their families; would draw out those points that are best in him. He would say, "here is a system that provides for my family against want I brought them to this and it comforts me to feel that I am contributing what I can to their support." The warden thought the system would be practicable, although it would entail a great deal of labour, and he would induce the authorities to adopt it if he could. He would not wait until the prison was self-supporting; but having reference to the reformatory influence it would exert, he would put this system in operation at once; but this could not well be done under the condition of labor then existing in the penitentiary. He was speaking of an ideal system."

Mr. Moylan, inspector of Canadian penitentiaries, in his evidence said that remunerative labour of an industrial character, labour which a prisoner will see is of value if not to himself at least to the institution, is best for reformative purposes; labour different from that which may be called punitive, such as stone-breaking or any demoralizing employment. The Canadian system, he said is defective, inasmuch as it leaves to labour alone to accomplish an amount of reformation that is required to make men lead good lives after leaving prison. If they had all other means—the isolation of the hardened, their separation from the well inclined, a proper classification and all the moral and religious influences brought to bear as fully as they could be in such institutions much more might be done. He thought it would be an excellent idea to give the prisoner a portion of the sale value of the product of his labour. If the prisoner would consent it would be very just and humane to apply such portion of a prisoner's earnings to the support of his family. It would be well to give the prisoner who behaved well a portion of his earnings even if the whole were not quite sufficient to cover the cost of maintenance. There are a number of prisoners, twenty-five per cent. perhaps, in Kingston who do not earn their salt, and who would not do so outside, but a large percentage, good healthy men, earn certainly more than their maintenance in the penitentiary costs. Farm labourers earn more. There is no mechanic who does not earn double the cost of his maintenance. A system could be introduced where the surplus over the cost of maintenance might be ascertained, and the government would be doing simply a matter of justice in assigning to the prisoners a portion of their earnings. Of the good time system in the Canadian penitentiaries Mr. Moylan said that for good conduct a prisoner may earn a remission of seven days and a half every month, and "can obtain a certain proportion more if he behave himself." Mr. Moylan also stated that when a block of cells now in course of construction at the Kingston penitentiary is completed that part of the Crofton system, under which convicts when first sent to prison are placed in solitary confinement, will be put into operation, and also that part under which prisoners can earn good conduct marks and badges and an advancement in grade or classification with the attendant advantages.

One of the chief objects of all these systems is, by inducing prisoners to work with a will, to create a habit of industry, to make them like work for its own sake and for the benefits it brings, and to teach them some form of industry in which they can earn an honest livelihood when set free. Those who do not work with a will seldom become expert in any occupation. Another object is to teach the prisoners self reliance and self respect. Whether a penal institution is or is not self-supporting, although an important question, should always be of secondary importance. Mr. Tallack truly says, "It has been repeatedly forgotten in practice that the most truly economical form of criminal treatment is that which eventually reduces the number of offenders to a minimum. It is this final result, this ultimate proportion of crime which constitutes at once the test and the real guide as to the best selection of criminal labour, and indeed as to all other matters bearing upon penal discipline and prevention." To arrive at a just conclusion, however, in any comparison depending upon results all the circumstances should be taken into account. In some countries, notably France, Italy and the United States, Mr. Tallack says "where the final test has been largely overlooked and where the merely immediate profit of prison labour has been unduly regarded there has been a far larger concurrent increase of general crime than in other nations, such as Great Britain where the influence of the deterrent element has also been taken into view as a material part of the real question of economy." It would be unwise, however, to conclude without careful inquiry and the most convincing evidence that such increase of crime is due to the substitution of the combined cellular and congregate system for the solitary confinement for the first nine months of the English convict system, and of productive labour for the tread-wheel, the crank, the shot drill and the picking of oakum. Many other causes at least as powerful must contribute to produce a difference in results so extraordinary.

RECOMMENDATIONS.

Upon the most careful consideration of the evidence taken in connection with the various subjects referred to them under the terms of the commission, and a searching enquiry into the various systems and methods that obtain in other countries, the Commissioners respectfully submit the following recommendations: in the framing of which they have endeavoured to avoid all unworkable theories and have strictly confined themselves to the most advanced, but at the same time the most practical methods of dealing with vice and crime.

Juvenile Criminality.

1. That such changes be made in the school laws as are requisite to give full effect to the provisions, which require all children of a proper age to attend school for a reasonable period in each year, the law in this respect to be rigorously, but, at the same time, judiciously enforced, so that the attendance at school of all children whom such a law should reach may be secured, and yet no injustice be wrought or hardship inflicted. That a law of this kind harshly or thoughtlessly administered may press too severely on families poverty stricken or afflicted with illness seems to be proved by the utterances on this subject in the speech from the Throne read at the opening of the present session of the Imperial Parliament. Firmly convinced, however, as the Commissioners are, that the

rigorous enforcement of such a law is an imperative necessity in laying the foundation of all preventive measures relating to juvenile criminality, they are satisfied that public opinion will approve of any reasonable amendments to the school law that are necessary to secure the advantages of a good education to every child in the Province. They would also recommend that any further measures necessary to secure a proper education for children employed in factories, workshops and elsewhere be passed, and that the appointment of truant officers or other officials in every municipality of the Province to ensure the rigid enforcement of the law in these respects be made compulsory.

2. That the establishment of one or more day industrial schools in every city and large town be made compulsory; that provision be made in these schools for the control and instruction during the day of disorderly or neglected children belonging to what is generally described as the "Arab Class"; of habitual truants; of those who cannot be controlled by parents or guardians or who otherwise require special supervision and of destitute and forsaken children who may not be proper subjects for constant residence in charitable institutions, but require partial assistance in obtaining proper food and clothing; and for carrying on work of a simple kind for the industrial training of these classes.

3. That cities, towns and villages be empowered to pass by-laws forbidding, as is now done in the county of Waterloo, the running at large of boys and girls in the streets after dark, and to enforce such laws effectively through the agency of the police and truant officers, and that the parents or guardians be held responsible in such cases and after one or more warnings be punished with a fine if they allow their children to remain on the streets after the time appointed, unless there be some good reason therefor, or unless they show that they cannot control their children. That in order to furnish amusement and exercise chiefly for children of these classes suitable playgrounds with a gymnasium attached be provided in every city and town, and that an officer be appointed to attend during certain hours of play and exercise, and prevent all disorderly conduct and the use of profane or obscene language.

4. That the inspection and regulation of second-hand stores, pawn-brokers shops and junk shops be made so strict by law as to prevent the purchase of any goods that may be stolen, and that the exposure of goods for sale be so regulated that children shall not be tempted by the opportunities of pilfering which it affords.

5. The importation of children taken from the reformatories, refuges and workhouses of the old world, the Commissioners are forced from the evidence they received to regard as fraught with much danger and as calculated, unless conducted with the utmost care and prudence, to swell the ranks of the criminal classes in this country. Therefore they strongly recommend that if individuals or associations be permitted to continue such importation, (and still more strongly if such importations receive aid from the public treasury) such precautions be taken as will effectually prevent the bringing into this country of children of parents known to be criminal, or of children who have spent their whole lives in an atmosphere of vice and crime; who are so saturated with evil and know so little of good that their reformation, if at all possible, must be a work of much time and of patient, skilful charitable effort.

6. As the hearty co-operation of the charitable and philanthropic is essential to the success of any effort for the prevention of vice and crime the Commissioners recommend that all practical measures undertaken for that purpose by any association or charitable organization receive the most cordial encouragement and assistance from the municipal and other authorities interested in the saving of children.

7. That no child under the age of fourteen shall be arrested and taken through the public streets as a prisoner when it can possibly be avoided. If the offience committed is of a trivial nature and the policeman knows the child's parents or guardians they shall be summoned to produce the child at such time and at such place as may be directed. If the offence is of a serious nature, and it is necessary to place the child under arrest, he or she should not, if at all possible, be committed or remanded to a common gaol, but should be detained in a place provided for the purpose and entirely separate and away from a police station and, if practicable, in the house of a police officer or other person who will be responsible for the child's appearance before the magistrate or justice at the time and place appointed. That no child under the age of fourteen be tried in public on any charge, but that the magistrate or justice hold a special session at a convenient time and place for the trial of such offenders, and that none be permitted to be present except the officers of the court, the necessary witnesses, the truant or probation officer and the parents or guardians of the children to be tried.

8. If a child under fourteen years of age is found guilty of the offence with which he is charged, commitment to a common gaol should, under no circumstances be made, nor should the child be committed to a refuge or reformatory until all other means of correcting or reclaiming such child have been tried. In the cases of children convicted of first offences of a trivial nature, full authority should be conferred on magistrates and justices to discharge with an admonition, particularly if parents or guardians will undertake a more careful supervision of them. The system of suspended sentence, under the surveillance of the police, should also be more availed of unless the environments and general surroundings of the children are extremely bad. Above all, it is urgently recommended that a law be enacted giving full effect to the Probation System, as now in operation in the State of Massachussetts and other States, with such modifications as the circumstances of this Province and the ideas and habits of its people may render desirable. The truant officers referred to in the first recommendation to act, as far as possible, as probation officers in respect of this class of juvenile offenders.

9. That the immediate erection of industrial schools, sufficient for the accommodation of all children whom it may be found necessary to place in such institutions, be provided for and that in any district in which there is no large city and the erection and support of such a school would be too great a burden on one county certain counties, having geographical proximity, be grouped together for the purpose of founding and maintaining an industrial school for all the municipalities within such group. The erection and maintenance of such industrial schools to be compulsory on and ratably assessed against the municipalities so grouped, unless within a reasonable time a corporate association under the terms of the existing Act, and with the assistance of a legislative grant and private aid, shall establish such an industrial school to the satisfaction of the government; the school to be located when possible near a city or town, selected with due regard to railway facilities and to the means of access to centres of population, and to have attached to it a sufficient quantity of good farming land for the employment of the inmates; that the means of giving a good technological training to such boys as will not adopt farm life be furnished; that the literary and the moral and religious instruction of the boys and girls detained in such schools be carefully attended to; that boys and girls be detained in industrial schools only so long as may be absolutely necessary to render them fit to be placed in a private family, either as apprentices or boarders. That those who are not thoroughly vicious should be so placed out even before they have received such literary in-

struction as is absolutely necessary for their future well being, provision being made for their attending school when placed out. That a vigilant and kindly supervision of the children so placed out be constantly maintained, and that the managers of the school, with the approval of the proper provincial officer, may recall any child so placed out, or remove him or her from one family to another.

10. That in addition to any provincial grant to aid in the acquisition of land and the erection of buildings for such industrial schools, the provisions of the Charity Aid Act in respect to the maintenance of refuges be made applicable to industrial schools.

11. That the Reformatory for boys be removed as soon as practicable to a more suitable locality where the cottage system, a proper classification of the boys, a thorough system of industrial training, the mark system and other approved reformatory methods can be introduced, and that when this has been done, moral restraints be entirely substituted for those material restraints which still do so much to make the atmosphere of the reformatory that of a prison. That a larger number of the boys be employed in practical farming and garden work, and that means of giving a thorough technological training be at once provided. Such a school to be of real value should be a hive of active, earnest, unremitting industry, in which every boy should learn how to do as much work as is expected of any boy of his age on any farm or in any factory or workshop, and to do it at least as well. That the laws be so amended also, that all boys shall be sent to the reformatory under what is known as the indeterminate sentence, and every boy be enabled to earn a remission of a portion of the extreme penalty attached to the offence which he has committed, by his industry, his diligence and general good conduct, whether under a mark system, or such a system as that of Lansing; that when the superintendent, chaplain, schoolmaster, and farm or trade instructor report, that a boy has earned such remission, and is entitled to it by reason of the proofs he has given of being really reformed, the Attorney-General of the Province, or some one acting on his behalf, should be empowered to remit the remainder of the penalty, or to allow that boy to go out on license or parole, subject to being arrested and taken back to the reformatory if he violate any of the conditions of his parole.

12. That the refuge for girls be entirely separate from the Mercer Reformatory, and that an institution which may serve as a reformatory for girls of less than fifteen years of age who have entered upon a dissolute career or who have committed serious offences, be established in a suitable locality; that a quantity of good land be attached to it so that the girls may be taught farm and dairy work and all kinds of house work. And that one or more industrial schools be established in suitable positions to which girls who commit petty offences, girls who are homeless or destitute, and girls who because of the misconduct of their parents are in danger of falling into criminal ways may be sent.

13. That all children sent to industrial schools who have for a second time been convicted of an offence, or who have been sent to such school because through the neglect and bad example of dissolute, vicious or criminal parents, or through vicious training and evil associations they are in danger, if not rescued, of becoming criminals; and also all children who are committed to the reformatory for boys or refuge for girls shall be regarded and treated as wards of the Province and shall be absolutely under the control and care of the managers of such industrial school, or such boys' reformatory, or girls' refuge—subject in certain cases to the authority of such provincial officer—until they attain their majority, or until at any time previous to attaining their majority the managers of such institutions and such provincial officer are satisfied that they can be trusted to take care of themselves.

14. That, when the system of indeterminate sentence has been adopted and inmates of reformatories for juveniles and of industrial schools can, by good conduct and by giving evidence of reformation, earn a remission of part of their sentence; and when provision has been made for committing to industrial schools, the refuge for girls or the boys' reformatory, juveniles who are in danger of falling into criminal habits or who have committed small offences, every means of testing the moral strength of those supposed to be reformed and of increasing that strength should be employed by the adoption of the parole system, apprenticeship and boarding out in families.

15. While no boy or girl should be retained in an industrial school, reformatory or refuge any longer than is necessary for complete reformation, it is equally, or perhaps, more important that none should be allowed to leave these institutions unless to return to a good home or until such employment has been provided on a farm or elsewhere as will afford the boy or girl a fair opportunity of earning a respectable living and leading a moral life. To this end, and in order that supervision and care may be judiciously exercised over discharged, paroled, or apprenticed children, it is of the utmost importance that an association shall be formed having local boards in every important centre of the Province who shall take upon themseves the important but delicate duty of looking after and caring for these children. The actual expenses connected with the settlement of the children should be defrayed by the Province.

16. That such changes be made in the Dominion laws as may be found necessary to confer on the Provincial government and its officers all requisite authority to pardon, parole, apprentice, board out and generally deal with and exercise control over all children and youths sentenced or committed to or placed in the reformatory for boys, the refuge or reformatory for girls and the industrial schools of the Province, whether such boys and girls have been sentenced or committed to or placed in such institutions under the provisions of Dominion or Provincial laws.

Mercer Reformatory.

17. The Commissioners earnestly recommend that as soon as the girls are removed from the Refuge the interior of the Mercer Reformatory buildings be re-arranged so as to provide for a perfect classification of the inmates in the corridors, workshops, dining rooms and other departments, and thus render it possible to do more for the reformation of the women committed to this institution than can be done in the present condition of the buildings. For this purpose it is desirable not only that short term prisoners should be separated from those committed for long terms and those regarded as corrigible from the incorrigible, but that all who are sent to this institution more than once, or for lewdness or other serious offences should be committed under indeterminate sentence or committed for long terms; the power to liberate on parole those who have given satisfactory evidence of reformation being vested in some provincial authority. They also recommend that means be adopted to provide in addition to the laundry work, knitting and other work now carried on in the Reformatory such useful work as would keep the inmates fully employed and fit them to support themselves by honest labour when restored to liberty. The underclothing and bed clothes required in the public institutions if made and repaired in this reformatory would afford much employment. An extension of the terms of imprisonment would for a time increase the number of prisoners for whom employment should be found.

Drunkards.

18. The Commissioners recommend that the Government, out of the funds derived from the fees for Provincial licenses (which might be temporarily increased for that purpose), shall erect in the centres of population one or more industrial reformatories for inebriates. Every such reformatory should be near a city, and should have attached to it a sufficient area of good land for the employment of the inmates in farming and market gardening: it should also be furnished with means for employing the inmates in suitable industrial occupations. While the institution should be chiefly an hospital having for its main object the reclamation of drunkards and the cure of inebriety, it should also be provided with the means for the safe custody of such of the inmates as may attempt to escape therefrom. When the reformatory has been established by the Province, the cost of maintaining it should be defrayed by the respective municipalities from which the inmates are sent.

19. That to this reformatory be committed all habitual drunkards, that is to say, all who have been previously convicted of drunkenness three times within two years: such other persons addicted to the use of strong drink as in the opinion of the county judge may be reclaimed by timely restraint and judicious treatment: and those who may be compulsorily committed to an inebriate asylum under the provisions of the Inebriate Asylum Act. The first committal to this reformatory should be for a period not shorter than six months; the second for not less than one year, and the third for two years, less one day. That any inmate whose term of imprisonment exceeds six months, may, after he has been detained for six months or more, be permitted to return home on parole if he has given satisfactory evidence of a sincere desire to live soberly and of strength of mind sufficient to enable him to keep his good resolution—such license to be granted on the recommendation of the Superintendent, endorsed by the inspector of prisons, and approved by the Provincial Secretary; such license to be revoked if the conditions on which it is granted be not observed.

20. That if the families of any inmates of a reformatory for inebriates be wholly dependent on them for support a portion of the proceeds of the earnings of such inmates be paid to their families; also that a portion of the net earnings of the inmates after defraying cost of maintenance shall be set apart to form a fund, out of which those whose general conduct has been good and who give evidence of being reformed, shall be assisted in their efforts to earn a living for a time after leaving the Reformatory.

21. That if after a third commitment to an Industrial Reformatory for inebriates, a drunkard again be convicted of drunkenness, he shall then be sentenced to the Central Prison for the full period authorized by law.

Tramps and Vagrants.

22. That in the case of every tramp and vagrant sentenced to imprisonment in a common gaol, hard labour shall form part of the sentence, and in order to provide the means of rigidly enforcing such sentence it shall be compulsory on county councils to provide in every common gaol a sufficient quantity of stone to be broken; or to provide some other work to be approved of by the Inspector of Prisons; and it shall be the duty of the gaol officials to see that every professional tramp or vagrant that is committed shall do a full day's labour unless the Gaol surgeon certifies that he is physically unable to do such work.

23. That after a second conviction and commitment to a common gaol of a tramp or vagrant he shall, if certified to be able to do hard labour, be sentenced to the Central Prison for progressive periods commencing with not less than six months, to be increased upon a further conviction to the full period authorized by law.

Homeless and Destitute Prisoners.

24. It is urgently recommended that, in order to abolish completely the inhuman system of committing homeless and destitute men, women and children to common gaols, many of whom are from old age or physical incapacity unable to earn a living, the establishment of a poor house be made compulsory (instead of permissive as at present) on every county in the Province; or where the population and requirements of a county in respect of its poor do not seem to warrant such an expenditure, that two or more counties be grouped for that purpose; every poor house to have attached to it a sufficient quantity of land to furnish employment for the inmates.

25. That it shall be unlawful when a poor house is established in a county, or group of counties, for a magistrate or justice to commit to a common gaol as a vagrant any homeless and destitute person who seems to be physically incapable of working, unless such person has committed some offence.

Insane Prisoners.

26. That the admission of lunatics to the asylums for the insane should when at all possible, be effected by direct removal to an asylum on the certificate of physicians; that no lunatic be sent to a common gaol unless in case of absolute necessity; that whatever is possible be done to ensure that application for admission to an asylum be made in the case of every lunatic as soon as insanity has been fully developed and while yet the person afflicted may be amenable to asylum treatment.

27. That when it becomes necessary to commit a lunatic to gaol and it is found that the person is of unsound mind but not a fit subject for a lunatic asylum because incurable, or merely imbecile and harmless, the examining authorities enquire fully into all the circumstances of the case and determine whether the insane person may with safety be entrusted to the care of his family, and that if they so find the family shall be required immediately to take charge of such insane person, unless it be shown that they are unable to furnish proper maintenance and care for the insane person, in which case the examining authorities shall enquire and ascertain whether the insane person can be properly cared for in a poor house, and that if they so determine the insane person shall forthwith be removed thereto.

Young Criminals.—First Offenders.

28. With a view to overcoming the evil and in many instances fatal results of associating young men, who have been convicted of a first felony or serious misdemeanor, with the most depraved and hardened criminals in the Central Prison, Kingston Penitentiary, and the other penitentiaries of the Dominion, it is urgently recommended that the strongest pressure be brought to bear on the Dominion Government by the Government and Legislative Assembly of the Province, as well as by all societies and individuals interested in the reformation of criminals, for the establishment of an industrial reformatory for this class,

which institution shall incorporate in its methods of treatment all the best features of the Elmira system, and the systems in operation in other establishments of a similar kind in the United States.

29. That to this reformatory be committed all young men, between the ages of seventeen and thirty, who have been convicted for the first time of a felony or serious misdemeanor, and who in the opinion of the judges imposing sentence are proper cases for reformatory treatment: all prisoners sent to this Reformatory to be committed for an indeterminate period.

Sentences.

30. The Commissioners recommend that the sentences passed on all juvenile offenders sent to reformatories or industrial schools be indeterminate, and that the Attorney-General of the Province, or some one duly authorized to act in his behalf, be empowered to liberate such juvenile offenders unconditionally or conditionally and on parole as may seem best calculated to promote the welfare of the offenders and the interests of the state.

31. That the sentences of those committed to the proposed reformatory for young men be in all cases indeterminate with a maximum limit, and that commissioners or others be empowered to make regulations for the management of the reformatory, to establish a system of grades and marks, or such other means of stimulating the inmates to habits of order and industry and promoting their reformation as they may deem best: to liberate on parole such of the inmates as by their attention to work, diligence in study, observance of the rules, earnest efforts to reform and general good conduct, have proved that they will do their duty faithfully in any position in which they may be placed: and to discharge unconditionally those who having been paroled behave well for any appointed period.

32. Sentences should, as far as possible, be progressive or cumulative The Bertillon system or some other effective method should be employed to establish the identity of criminals who have been previously convicted of serious offences. The identification of those guilty of minor offences is also important. The criminal and the offender should know that the penalty for a second offence will certainly be greater than that imposed for the first, and the penalty for a third certainly greater than that imposed for the second, and that the penalty will increase in severity as the crimes or offences increase in number.

Good Time System.

33. It may be inexpedient to introduce the indeterminate sentence system in the Central Prison or the Mercer Reformatory, because so many of the prisoners in these institutions are sentenced for short terms, but the Commissioners see no reason why what is called the "good time" system may not at once be established in both. If the prisoners knew that by observance of the rules, diligence at work and general good conduct they could earn a certain number of good marks every day and thus earn a remission of some portion of their sentence, they would certainly become better prisoners, and probably become more amenable to all good influences.

Lock-ups and Police Stations.

34. That full effect be given to the provision in the Prison and Asylum Inspection Act requiring the inspector of prisons to make, at least, one inspection a year of all the lock-ups in the Province, and to report upon their condition and management in the same manner as is done with the common gaols; and that that official also have the same authority vested in him in respect to the

construction and alteration of lock-ups as well as in respect to the means of removing prisoners from the lock-ups to gaols as he now has under the Inspection Act, in respect of common gaols.

35. That structural provision be made in every lock-up for the complete isolation of the sexes in separate and distinct wards; that there shall also be the means of making a complete separation of prostitutes from other female prisoners, and that the separation of these classes of prisoners shall also be effected and carried out in taking them to and from court, and in their subsequent transfer to the common gaol.

36. That in every lock-up to which female prisoners are committed there shall be a police matron who shall have entire charge of the female prisoners in the lock-up, and who shall also be present at their removal to court and transfer to gaol.

Common Gaols—Classification of Prisoners.

37. In framing recommendations respecting common gaols, the Commissioners venture to assume that the preceding recommendations, so far as they relate to matters coming within the jurisdiction of the Provincial Government and Legislature, will be adopted, and that effect will be given to them within a reasonable time Should this be done, and, as the direct result thereof, juvenile offenders be no longer sent to our common gaols; a very considerable number of the drunkards now committed to gaols be sent for treatment to an industrial reformatory for inebriates; the homeless and destitute now occupying the gaols be transferred to poor-houses, and confirmed drunkards and tramps be committed to the Central Prison for long periods, existing gaol conditions will, it is evident, be practically revolutionized. The various classes of prisoners referred to, represent over fifty per cent. of the present gaol population, and if even one-half of that number be provided for in the manner recommended, it is quite evident that the means of classifying the remaining prisoners in the common gaols will be vastly improved. Indeed, if the improved methods proposed by the commissioners for the care and treatment of juvenile offenders be carried into effect, one of the most injurious phases of the bad classification of prisoners will be remedied; and if all the recommendations be adopted, the common gaols of the Province will practically become what the most advanced prison reformers claim they should be; that is, safe places of detention pending trial for persons charged with the commission of offences, and of punishment only for those sentenced to imprisonment for very short periods.

Common Gaols—Separate or Cellular Confinement.

38. It is, however, claimed that when the common gaols are used only as places of detention for prisoners waiting trial, and of confinement for the short term prisoners, they should be conducted strictly on the separate or cellular system. The Commissioners have little doubt that if a proper system of cellular seclusion could be structurally provided, and when provided effectively carried on, it would be greatly superior to our present system of day association in corridors

39. The Commissioners are quite satisfied that the cellular system as they saw it carried out in some counties in Ohio, is not successful from a structural or administrative standpoint; in fact, is little better than the partially associate system of this Province It is also clear that if a cellular system such as that of Great Britain were to be established immediately in this Province, it would be necessary to demolish and rebuild nearly all the gaols, and to re-model the others. So sweeping and expensive a change, the Commissioners cannot

recommend. But they do earnestly recommend that when a new gaol is built or the complete interior reconstruction of an old gaol is found necessary, the separate or cellular system now in operation in the English local prisons be adopted; and that whatever can be done in any gaol, without great expense, to provide for even a partial adoption of the cellular system, or a more satisfactory classification of prisoners (the proposed reduction in the number of prisoners being taken into account), should be done as soon as possible.

Common Gaols—Government Control.

40. Respecting the proposal that the Government of the Province should assume entire control of the gaols, the commissioners are of opinion that if their recommendations for founding new institutions be acted on, the conditions for the more effective management of common gaols will be materially changed and much simplified. Theoretically, gaol management would, no doubt, be more uniform and systematic under one directing authority, that authority being the Government; but common gaols are eminently local institutions, and unless the Government, in assuming absolute control of them, entirely relieved the municipalities of the cost of their management, such assumption might be considered as out of harmony with the genius of our municipal system. Moreover, a critical examination of the evidence given by the sheriffs and gaolers on this subject fails to shew that good and sufficient reasons have been advanced to warrant such a radical change of policy on the part of the Government. Five gaolers gave specific reasons, chiefly neglect on the part of the councils to remedy structural defects promptly; but even these defects were made right, although perhaps rather tardily. It must also be borne in mind that existing laws give the Government on the report of the Prison Inspector the fullest authority to compel councils not only to make all needed improvements and repairs, but also to erect entirely new gaols when in the opinion of the Inspector that becomes necessary. In view of this law, as well as of the control now vested in the Government under the Inspection Act, the Commissioners are of opinion that the consideration of so great a change should be deferred until it is fully ascertained what effect the changes they recommend will have on the management and discipline of the common gaols and the classification of prisoners therein. Meantime it is recommended that the inspector of prisons be empowered to order inexpensive structural changes necessary for health or safety to be made promptly.

Prison Labour.

41. That, in the employment of the labour of the inmates of the gaols, prisons and reformatories, what is known as the "contract system," under which contractors, for the payment of a given sum per diem, receive the full benefit of such labour and are necessarily given an undue control of the prisoners, thereby seriously interfering with the discipline, must be condemned as defective and unsuitable and should not be adopted in any of the penal or reformatory institutions of the Province. That the "piece price" system though an improvement in many respects on the contract method, is open to serious objection as it also too largely vests control of the prisoners, and of the results of their labour, in contractors whose only object is good financial results irrespective of the welfare of the prisoners.

42. It is therefore recommended that in all prisons and reformatories entirely under the supervision and direction of the Provincial Government, the labour of the prisoners and inmates shall be conducted on what may be termed the Provincial Account System; that is, that the Province shall supply all the machinery plant and fixtures necessary for carrying on industrial operations; that it shall

purchase all the raw material and shall, under the direction and control of its officers, instructors and servants, use the labour of the prisoners and inmates in the manufacture and production of such articles and goods as may be best suited for the employment of such labour and for the best interests of the respective institutions and their inmates.

43. That in the selection of prison or reformatory industries, next to such branches of work as will best afford the means of giving good technical instruction to the prisoners, which should always receive the first consideration, preference should be given to the manufacture and production to the largest possible extent, of all goods required for every branch of the public service, including asylums, prisons, county gaols, government offices, etc., and also for hospitals, charities, and other institutions aided by government grants. The manufacture of the cloth, blankets and other fabrics for the clothing and bedding of the inmates, of boots and shoes, of furniture of every description, including iron bedsteads, etc., for an average resident population aggregating over 10,000, should afford great scope for the employment and instruction of the prisoners as well as a profitable return to the Province.

44. That if it be found that the requirements of the public service in these respects and the domestic and local wants of the respective prisons and reformatories will not keep the inmates fully employed, some specific article or variety of articles best suited to the capabilities of the inmates, and of great utility and in common use, the production of which at the lowest possible rates would be a great benefit to the public at large, should be chosen to be carried on by prison industry, and that all products of prison labour other than what are required for the public service be sold in the open market.

45. That with respect to the youths committed to the Boys' Reformatory at Penetanguishene and to the Industrial schools, although a great deal of the time of the inmates must be taken up in ordinary schooling, the inculcation of industrious habits is of the very first importance. The Commissioners are of the opinion that the managers of these institutions should endeavour by every means in their power to induce the large majority of the inmates to adopt the occupation of farming. If there is anything to fear from hereditary tendencies in youths of the class sent to reformatories, no better foil to them could be found than the honest work and quiet and contentment of farm life. For boys drawn from urban quarters, who will not take to farming but desire to learn a trade, thorough and effective instruction, technical and practical, in a few branches, such as carpentering, shoe-making and tailoring should be provided. The young girls in the Refuge should be thoroughly instructed in cooking, laundry work, general house work and plain sewing, so as to fit them for domestic service.

46. With respect to the employment of prisoners in the common gaols, all the evidence taken points to the conclusion that industrial occupation is quite impracticable in the common gaols, and in this, the Commissioners concur. As, however, the Central prison and Mercer reformatory, founded chiefly for the purposes of overcoming the demoralizing idleness of the common gaols, have successfully accomplished that object to the extent of their capacity; and, as the establishment of an inebriate reformatory would furnish a further means of employment for a large number of that class of prisoners, the Commissioners are of the opinion that the employment of the prisoners remaining in the common gaols may properly be confined to cutting wood, breaking stones, keeping the premises in order, and in cooking, washing and other domestic work connected with the gaols.

47. Should the recommendation of the Commissioners in respect to the establishment of one or more industrial reformatories for inebriates be adopted and acted upon, the inmates of such establishments should be to the fullest possible extent kept employed in farming and market gardening. Other industries of a simple nature should be established for the employment of the inmates unfit for farm work and of those for whom at any time work cannot be found on the farm.

48. The Commissioners were convinced by all that they saw in their visits to several penal and reformatory institutions in this Province and in the United States, that it is absolutely essential to the successful working of any system of management that competent zealous men, capable of commanding the respect and gaining the sympathy of those entrusted to their care, should be employed in every branch of the service. There may be some doubt as to the best means of inspection and supervision of prisons and reformatories. In several of the United States, if not in all, this work is done by a local board of commissioners, directors or managers, who, acting independently, or in subordination to, a state board, make all the rules and regulations, authorize the more important executive acts of the warden or superintendent, and themselves do much work of importance directly at their meetings. In many cases they appoint and are supposed to control the warden or superintendent. The members are so appointed that the boards are practically independent.

Several highly competent witnesses gave evidence in favour of the adoption of a somewhat similar system in Ontario, viz., a local governing board and a Provincial Board of Prison Commissioners, but it is a question whether the appointment of an Inspector by the government of the Province, under whose control that officer always is, and who are responsible to the representatives of the people in the legislature for every official act of his, is not more in harmony with the spirit of responsible government. If the inspector be competent and energetic, and clothed with sufficient authority, this system should be thoroughly effective.

But whatever be the system of inspection and supervision, it must always be of the utmost importance that the best man be chosen for the position of warden or superintendent of prison or reformatory, and that his assistants be disposed to take an intelligent interest in their work and act thoroughly in accord and sympathy with their superior. And as it is also of great importance that in every such institution the warden, superintendent, or other chief officer be fully responsible for the management of the inmates and the condition of the buildings, workshops, machinery, and grounds, the Commissioners recommend that in all cases the chief officer be consulted as to the appointment of his subordinates; that no person be appointed to any subordinate position whom the chief officer, for good reasons, regards as incompetent, inefficient, or in any way unsuitable, and that no person appointed to any such position be retained in it if he fails to discharge the duties thereof satisfactorily.

The appendices, containing reports by members of the Commission and the evidence taken at the various sessions, are herewith transmitted.

All of which is respectfully submitted.

J. W. LANGMUIR, *Chairman.*
CHARLES DRURY,
A. M. ROSEBRUGH,
A. F. JURY,
T. W. ANGLIN, *Secretary.*

APPENDICES.

A

J. W. Langmuir, Esq.,
Chairman Prison Reform Commission.

Dear Sir,—I visited the Massachusetts State Industrial School for girls at Lancaster, near Clinton, Friday, July 25th, in company with Miss Elizabeth C. Putnam, of Boston, one of the trustees.

The school is on a farm of 175 acres, about 40 miles from Boston.

There are at present 102 girls from twelve to twenty years of age. They are classified into four divisions, each division being kept separate and apart on the cottage plan. The cottages are widely separated and there is absolutely no intercourse between the inmates of the different cottages. Each cottage has three officers, namely: a matron, a housekeeper and a teacher. The whole is under the superintendence of a lady superintendent and an Assistant. There is also a board of seven trustees appointed by the governor of the state, one of whom is by custom a Roman Catholic, (the law does not require this); and two of whom must be ladies. The appointments are made for five years.

The girls are taught knitting, sewing, and dressmaking, all the different departments of housekeeping including cellar, hall and chamber work, cooking and baking. They also work on the farms during the summer months. Each girl has a bedroom to herself, and they are kept absolutely separate from each other when not at work, or during recreation, at which time there is always an officer present.

They are given a good common school education, and they are also taught some fancy work.

There are no walls, bolts or bars, and it is very rare for an attempt at escape to be made.

The inmates are committed by a judge to the custody of the trustees "during minority" or until 21 years of age.

At any period after twelve months if a girl appears to have reformed the case is reported to the Board of Lunacy and Charity, who then make an enquiry into all the facts, and, if satisfied, a place is found for her and she is placed in the situation under the superintendence of a county lady visitor. She is kept under supervision until she reaches the age of 21, or marries, or is returned to the school for bad conduct. She also returns to the school when out of a place.

The county lady visitors are appointed by the state board on the recommendation of the trustees of the school.

Those lady visitors have a conference with the trustees and with each other once or twice a year, but they make monthly reports to the trustees with regard to the girls under their charge, whom they are expected to visit from twice a month to every three months according to the progress the girls are making. This supervision is considered a most important element in the attempt to restore these unfortunates to honest and virtuous lives.

The trustees are very cautious in giving any statistics regarding the percentage of cases actually reformed, but they believe that fully one-half the girls committed to their care either marry respectably or conduct themselves properly until the age of 21 years. After that age their legal supervision ceases.

On my return from the Lancaster Industrial School for Girls, in company with Miss E. C. Putnam, one of the trustees, we went direct to the State House, where we found a girl and boy under arrest and awaiting trial, and both in the custody of the state agent. The girl was under twelve years of age and

the boy between twelve and fourteen. The girl was to be sent to the Monson primary school temporarily, pending trial, and the boy was to be placed temporarily in one of the Boston "Homes." The cases, it was expected, would be brought to trial in a few days when the state agent would be present, furnished with all the facts bearing on each case. By an Act, 1869-70, the court must be cleared when these cases are tried, even policeman being excluded, except when required as witnesses. It is the practice in Massachusetts to hear these cases after the regular court is dismissed, and the hearing usually takes place in an ante-room and not in the court room proper. While in Boston recently, I visited Wayfarer's Lodge in Hawker St., which was established about twelve years ago by legislative enactment. The number of vagrants in Boston is said to have been greatly reduced since the establishment of this institution. It also relieves the police cells. Applicants procure cards of admission at the police stations, and they are required to cut and split one-eighth of a cord of wood for their supper, bed and breakfast. In case of refusal they are sent to the House of Correction. Admission may be refused after the third night. While in New York recently I had a somewhat lengthy interview with the general manager of the Burnham Industrial Farm near Troy, N.Y., W. M. F. Round, Esq., who is also secretary of the New York State Prison Association. The farm consists of 580 acres, and is on the boundary line between New York and Massachusetts. The Burnham farm is organized for the reception of unruly boys between the ages of seven and sixteen years. It is arranged on the cottage or family plan. At present there are 20 boys in each cottage, but the design is to have only 15 when the farm is fully organized.

There is a department of manual training: those showing special aptitude are taught full trades, others are taken only so far in the learning of trades as will fit them to enter as apprentices upon specially favorable conditions. Some are taught farming, and some are taught gardening. The system of awards and punishments is that of Mettray.

Steps have also been taken to build up a brotherhood of devoted labourers in connection with this work, that is, to combine with the Burnham industrial farm, a training school for young men who wish to enter upon institutional work in all its different phases, with a view of taking positions as managers or otherwise of other institutions.

The Burnham farm depends wholly upon voluntary subscriptions for support. It is organized on the family plan of the elder and younger children, said to be most successfully carried on at the Rauhe Haus, near Hamburg, Germany.

There are no high walls and there are very few locks to the doors. Since the establishment of the farm three years ago, 23 boys have been placed. Of these twenty are doing well, three are doing only middling, and one has turned out bad.

Respectfully,

A. M. Rosebrugh.

Mr. Round has carefully read the platform of prison reform principles adopted by the Prisoners' Aid Association of Canada, and he desires it to be known that he fully endorses each and every one of them. He is also in favor of making all time sentences by the court indeterminate.

Respectfully,

A. M. Rosebrugh.

New York, July 27th, 1890.

B

Office of Commissioner of Prisons,
State House, Boston, Mass., July 28, 1890.

Dr. A. M. Rosebrugh,
Corresponding Secretary Prisoners' Aid Association,
Toronto, Ontario.

Dear Sir,—I return enclosed your report upon the Industrial School for Girls at Lancaster. It is a very clear statement of the work of that institution, and the only corrections that appear to be necessary are such as I have indicated in the margin. On page 78 of the manual of the State Board of Lunacy and Charity, a copy of which was given to Mr. Anglin, you will find the law establishing the board of trustees for the state primary and reform schools. You will observe by reference to the law that there is no requirement that one member of the board shall be a Roman Catholic, but that it does require that two members shall be women. As a matter of fact, however, it has been customary since the creation of this board to appoint one Catholic member.

We mail to you to-day a copy of the last annual report of the trustees of the state primary and reform schools, included in which you will find a report upon the Lancaster School. We also send to you a copy of the last annual report of the commissioners of prisons, upon pages 71-110 of which you will find the report relating to the reformatory prison for women.

Yours very respectfully,

Fred G. Pettigrove,
Secretary.

C

The undersigned visited the county gaol at Circleville, in the State of Ohio, on the morning of the 26th August. They found the sheriff, who also acts as gaoler, absent, but they were shown through by his wife, who was in charge, and they were accompanied by the county bailiff, Mr. Mahoney.

The interior construction of the gaol is much the same as at Mansfield, with the exception that each flat in the outside corridors surrounding the cells, (which at Mansfield is open from the ground floor to the ceiling of the third) is covered by a flag floor. In this way prisoners confined in a lower ward cannot converse with those in an upper ward, or *vice versa*, unless in a very loud tone of voice. There is, however, no difficulty in prisoners talking to each other on the same floor, and if on the same side of the corridor, in an ordinary tone of voice. Communication, therefore, by conversation cannot be prevented unless the gaoler or an assistant is present and prohibits it, which the sheriff's wife tells us is not done. Under close and careful supervision it is possible for a prisoner to be placed in a cell and there kept without ever seeing another prisoner, but so far from this being done we were informed by the sheriff's wife and Mr. Mahoney, as well as by the only prisoner who was in confinement at the time of our visit, that it is not attempted and that the prisoners are allowed to associate in the central corridor, take their meals together and to remain together. In fact the sheriff's

wife informed us that if prisoners were confined in their cells separately they would be too lonesome and it was not done. Moreover, in the ward used for women in the upper flat, where there are no outside corridors, there are no separate closets in the cells, and the inmates of the corridor have to use the common water closet in one of the cells used for that purpose, thus necessitating constant association.

The gaol structure is very substantial and secure, and while, as we have said, prisoners can, under strict supervision, be kept personally separate in the wards for males, it would be next to impossible to prevent conversation and means of communication. We must therefore report that in that respect the structure, as designed for cellular or separate confinement is fatally defective. We have also to report that this gaol, contrary to our expectation, is used for short date sentenced prisoners as well as for those awaiting trial.

The structure and the disciplinary management would require to be changed if the effective cellular confinement of prisoners, without means of communication and association is to be accomplished.

Respectfully submitted,

J. W. Langmuir,
A. M. Rosebrugh.

Circleville, O., 26th August, 1890.

D

To J. W. Langmuir, Esq.,
Chairman of the Prison Reform Commission of Ontario.

Sir,—On September 23rd I received your letter of the 22nd informing me that you had a note from Mr. Mowat on that morning in which he approved of my attending the Cincinnati Congress of the National Prison Association, and that he wished you also to go. You further stated that it would be impossible for you to do this, and that it rested with me to say whether I would attend.

I waited on you immediately and it was arranged that as the session of the Congress would commence on the 25th I should leave on the 24th. I also learned at that interview what in your opinion was the best means of obtaining the most valuable results from attendance at the Congress.

I arrived in Cincinnati on Thursday forenoon. During the day I obtained introductions to several gentlemen who have a high reputation as zealous and intelligent advocates of prison reform, and renewed acquaintance with some of those from whom we had sought and obtained information when the commissioners visited the States of Massachusetts, New York, Michigan and Ohio.

The first session of the Congress was held on Thursday evening. After addresses of welcome had been made and responded to, the president of the Association, General Rutherford B. Hayes, ex-president of the United States, delivered his annual address. Three sessions were held on the following day, one from half past nine to twelve, a second from two o'clock to six, and a third from eight o'clock to ten. Two sessions were held on Saturday; one in the forenoon and the other in the evening. Three sessions were held on Monday and three on Tuesday. The congress adjourned at 10.30 p.m. on Tuesday. On one occasion the session was described as a meeting of the Chaplains' Association and was presided over by a prison chaplain. The subject matter of the paper read was the qualifications of chaplains and what should be required or expected of them. On another occasion the session was a meeting of the Wardens' Association and was presided over by Captain Nicholson, of the Detroit House of Correction, who read a short but able paper.

Any attempt to report even in outline what was read and said at those sessions would be of little practical utility and would trespass unduly on the attention of the commission. It may be well, however, to make special mention of those statements and arguments which seemed to bear directly on the subjects on which the Prison Reform Commission are directed to report.

Ex-president Hayes devoted much of his carefully prepared and able paper to an enquiry into the cause of the crimes against property which are now so numerous. He attributed the great prevalence of such crimes in the United States to an inordinate desire for the acquisition of wealth and of the power, the influence and the opportunities for the gratification of the appetites which wealth gives. He argued that the community in which great crimes are committed, in which crimes increase, are in some real sense, in some real degree responsible for those crimes.

"The crimes of to-day," he said, "are due to the business and social spirit of to-day. There are two classes of crime in all the civilized countries, and especially in our own country—the crimes of capital and the crimes of sudden wealth, the crimes of those avaricious for gain, avaricious for money, not always merely for money, but for the power which money gives; the power over place, over position, over office, over influence, over conventions, over legislative bodies . . The power of money gained rapidly not always by the purest means. That spirit leads to the crimes of those who are at the top of the wheel of fortune not always punished, not always convicted, too frequently held up as the men to be admired and envied. Those who, in the great struggle for fortune which continually goes on, fail to gain the position for which they have striven are too often driven to despair, and when they see men who have acquired wealth by dishonest means admired and envied they resolve to employ every means, even the most criminal and dangerous to obtain what they desire, satisfied that if they succeed the crimes they commit will be forgotten." He added: "The productiveness of this country has brought into it from abroad more than even a fair share of the criminals abroad. . . But again, the opportunities here by speculation, by gambling, by every description of illegitimate effort to make great fortunes, leaving others without that opportunity, is a great cause of crime in this country. . . What is the remedy? To do all we can by our legislation, by our own conduct and the genuine Christian system of regarding all around us as indeed, in fact the children of a common Father, as our brethren."

Of the gaols of the United States he said, "We have in this country from three to four or five thousand gaols, lock-ups, places of detention. What do we do with the young fellow who is arrested for the first time, for his first offence? . . He is carried where he is, may be, put into the closest possible association with burglars and professional thieves, the pickpocket, the counterfeiter, the hardened criminal, there to spend with them days, and weeks and months, perhaps, to be taught, instructed and encouraged in crime, to hate honesty and to hate society, and we pay hundreds of millions every year for these three, four or five thousand academies of crime, and for their support. How many of them are fit places for the young man to be put in? How many of them provide by their construction for the separation of that young man from the hardened teacher, who is ready to encourage him and to teach him all he needs to know to be a professional criminal? Not one in a hundred. We read with the utmost interest the graphic descriptions written by George Keenan of the prisons of Russia and Siberia. How easy it is to see the mote in the neighbor's eye and not discover at all the beam that is in our own eye. Suppose some Russian George Keenan should pass

through this country and look into all the gaols and see the weeping, trembling boy placed in one of these gaols, in the midst of that circle of vile teachers, and suppose he should describe it just as it is. There would be reading that would be interesting to the American people."

Besides properly constructed gaols to be used as places of detention there should be workhouses for those convicted of smaller offences, in which the offenders should be instructed in that best not merely preventive of crime, but curative of crime; in habits of daily industry, of labour with the hands, so that when they emerge they may be able to earn an honest living." Next should come an intermediate penitentiary for the younger ones and that is . . not found, unfortunately, as often as it should be, "and after that the great state prison, which should be retained as the place for the irreclaimable, the professional."

On Friday Mr. Reeve, of Plymouth, Indiana, read the report of the standing committee on criminal law reform written by himself. He contended for "the abandonment of all penalties as a means of punishment, but he would have the person who abused his liberty deprived of it and held in custody until he has "developed such mentality as will enable and induce him to obey the law and observe order." He should be compelled to labour for his own support while in custody and should receive such treatment as would best tend to his moral reformation and give him a full understanding of the nature and requirements of his contract with the government. Prisons should be so managed as to secure a thorough classification of the inmates not only as to sex but also as to the moral, mental and physical condition and character of individuals. Provision should also be made "for maintaining discipline for the opportunities of reformation and conditions and methods of parole, and a complete supervisory authority with judicial powers." He contended that high grades of crime such as murder, highway and train robbery, derailing railroad trains, criminal use of explosives, wilful perjury by which any person is convicted of crime, rape and child stealing should be regarded as unpardonable, "and persons convicted of such crimes should be imprisoned for life." He urged that the system of trial by jury should be essentially changed. Evidence on both sides, he argued, should be heard by the grand jury who should make thorough enquiry in all cases, and when a case went before a petty jury "the agreement of nine jurors should constitute a verdict after twenty-four hours deliberation." He recommended the establishment in every State of a State Board of Charities and Correction, receiving ample compensation, ranking with courts in dignity and having judicial powers.

The paper read by Mr. Nicholson, president of the Warden's Association, was as vigorous and as full of matter for consideration as everything that proceeds from that gentleman's pen. Mr. McClaughray, of Huntingdon, Pennsylvania, in his paper on the parole system gave an interesting account of the legislation of Great Britain with respect to prisons and convicts from the time of the Stuarts, and of the development of the ticket-of-leave or parole system first tried by Maconochie in New South Wales. All who spoke on this subject agreed that the power to liberate prisoners on parole is absolutely essential to the success of every reformatory system. It was admitted freely that great care should be taken in the exercise of this power. Mr. Wines amused the Congress with a very graphic account of the proceedings at a meeting of the Commissioners of the Columbus, O., penitentiary, sitting as a Board of Parole on one occasion when he happened to be present. Their mode of determining what prisoners should be paroled was disdisapproved of very strongly; but some who admitted that that mode of proceeding was destructive of discipline within the penitentiary contended that, nevertheless, regarded in all its effects, the system, even as thus administered, has proved beneficial.

Mr. Felton's paper on police dealt largely with the importance of keeping the police force in the cities of the United States free from political influence of any kind. He described what he regards as the duties of a police force and the manner in which those duties should be discharged, and he insisted that a police force which does not do all in its power for the prevention of crime neglects its most important duty. Mr. Warren, of the Cincinnati police, described the organization of the force in that city, stated that it is entirely free from political influence, and asserted that it is as efficient as such a force can be made, unless at an enormous increase of cost Prevention, however, except such as arises from the certainty of detection, is no part of their duty. The law gives them no power to act until an overt act is committed. Others argued that a police force which does no preventive work is of comparatively little value. Several gentlemen spoke of the great importance of having the police force absolutely free from all political influence in its organization and government.

The discussion at the meeting of chaplains was interesting. The chairman, Rev. Mr. Hixcok, read a paper in which he described the qualifications which a chaplain should possess and the duties he should perform, and declared that the Warden should dismiss any chaplain who did not prove himself fit for his position. Several chaplains, while admitting that all should strive to rise to such an ideal, contended that very many who fall short of it are earnest, devoted men who render good service. They described the difficulties they encountered and the methods by which they sought to overcome them. Mr. Brockway, of Elmira, said that if he could find such a man as Mr. Hixcok described, so broad-minded, so sympathetic, so zealous and indefatigable, so capable of controlling the will and gaining the confidence of the convicts, so able and eloquent, he would employ him permanently. But to have an inferior man he regarded as worse than useless. None are so quick as convicts to discover the infirmities, the shortcomings and the foibles of such a man, and when these were discovered his influence for good was completely lost. It is of the first importance to command the attention and excite the interest of the convicts, and this he does by inviting all the ablest ministers within his reach to preach in turn. He thus secures a star sermon every Sunday evening. Some of the congress expressed approval of Mr. Brockway's views, but the chaplains generally took strong objection to them, and some of the wardens declared that the chaplain is the right hand of the warden and that the thorough reformation of a criminal cannot be effected without the aid of religious influence.

Mr. Brush, of Sing Sing, N.Y., read the report of the standing committee on prison discipline, prepared by himself. On the necessity of strict discipline, careful industrial training and a proper amount of labour, Mr. Brush and all present appeared to agree fully. He contended, also, that the convict who, when sent to prison, possesses little or no mechanical skill should be taught some trade by which he can earn an honest living when discharged, and that while in prison the convict has a right to do his share of the world's work, On these points there seemed to be no difference of opinion. That the ignorant should receive literary instruction was also the general opinion, although all did not agree as to the extent to which it should be carried. But there was much difference of opinion as to the treatment of convicts in other respects. Mr. Brush would encourage the visits of relatives and friends, at stated times, and the correspondence of a convict with his relatives, as in this way he thinks the convict's better feelings are revived and strengthened. Mr. Brockway would make the convict feel at first that he was a prisoner and would make the visit of friends and freedom of correspondence the rewards of good conduct. Mr. Brush would allow convicts to receive presents from their friends. This several others regarded as

calculated to injure the convict who received such presents and to create discontent amongst the others. Mr. Brush has very liberal ideas as to the food to be furnished to the convicts. He gives those in his charge all the food they choose to eat and many things, such as corn and other vegetables in season, which may be considered as luxuries in a prison. He thinks that in thisway a manly, self-respecting spirit is created. Others thought a plainer and more restricted dietary better. Objection was made chiefly to his supplying the convicts with tobacco. This, however, is done in nearly all the prisons of the United States.

Rev. Mr. Wines, secretary of the association, read a very interesting paper on "The Progress of Prison Reform during the past Twenty Years." Mr. Wines' father was one of the first to undertake this work and when, chiefly through his efforts, the association was founded he hoped that through its influence the Irish or Crofton system of prison management would be introduced. At one of the earlier sessions Mr. Brockway read a paper in which he outlined the reformatory system which he has since carried out with such success at Elmira, and other valuable contributions were made from time to time. Great improvements in the construction and management of prisons have since been made, and some thirty new penal and reformatory institutions, constructed so as to facilitate the working of the improved systems, have been established.

Hon. William Harris, Commissioner of Education, Washington, D.C., read a paper on "The Philosophy of Crime and Punishment," which deserves careful study.

Mr. Round, secretary to the New York association for the aid of discharged prisoners, read an exceedingly well considered paper on the best mode of dealing with discharged prisoners. He sorrowfully admitted that in many cases the society with which he is connected are not successful in their efforts to complete the reformation of criminals. Some failures are caused by the unwillingness of those who have employment to give to take discharged convicts into their factories or workshops; some from the refusal of other workingmen to work beside convicts; others from the over-zeal of policemen. But the greatest difficulties arise from the convicts themselves, who fancy that the world owes them a living and that if they consent to return to honest ways they should be petted and coddled because they have been guilty of great crimes. He related many instances in which he found this to be their state of feeling. In very many cases the convicts come out of prison determined to take up again their lives of crime, and all efforts made for the benefit of these are practically useless. In many cases he said it is easier to deal with old crooks who have grown tired of being imprisoned frequently and who know how great is the probability of their being imprisoned again if they again offend than with first offenders, who imagine that they will escape detection if when they repeat their crime they are more careful. In the State of New York a State agent is employed to give to discharged convicts the amount allowed by the State. It costs nearly a dollar and a quarter in expenses for every dollar thus distributed. The convict regards the amount paid him as his by right and generally spends it in a debauch. It would be better if the money were paid by the warden and in instalments. It would be better still if some means were devised to enable the convict to earn some money for himself while in prison which he would regard when he was discharged as a little capital to be put to good use. Mr. Hart, of Minnesota, stated that in the prison of that State an allowance of from nine to twelve cents per day is made to each convict according to grade and without regard to his skill or capacity for work. It is made even when a man is in hospital. This money is paid to his family if he has a family, and in such case the convict also receives an additional amount on his discharge. Several members expressed warm approval of this system and dis-

approval of that which permits a skilful, strong man, who easily does his stint, in a few hours to earn a considerable sum during his spare time, while the unskilled man, who must work incessantly during the whole day, can earn nothing.

This whole subject was fully discussed and every one who spoke had much to tell of the great difficulty of dealing successfully with the discharged prisoners.

Dr. Wey, of the Elmira reformatory, read a paper in which he expounded the views of those who think that criminality "consists in a failure to live up to the standard recognized as binding by the community," and that "the criminal is an individual whose organization makes it difficult or impossible to live in accordance with this standard and easy to risk the penalties of acting anti-socially." By some accident of development, by some defect of heredity, or birth, or training, the criminal, according to these theorists, "belongs, as it were, to a lower and older social state than that in which he is actually living. It thus happens that our own criminals frequently resemble in physical and psychical characters the normal individuals of a lower race. This is the atavism which has so frequently been observed in criminals and so much discussed." He says, "that there is a criminal element but it does not appear that there is a distinctively criminal class." "The ranks of criminality are recruited from all sorts and conditions of men." He described the various classes of criminals, the physical characteristics of criminals, especially the asymmetry of the head, and admitting that criminals may be reformed he concluded that "the earlier treatment is instituted the better the prognosis, for at the plastic age it is possible to develop the latent good and neutralize the asserting bad by the establishment of a correct habitude of body and mind." Deferred until the practises of years have wrought an evil habitude of mind the work of "ethical reconstruction" is attended with difficulties and disappointments.

This paper was not discussed, probably because the members of the association desired to bring the congress to a close.

Only one other paper was read. The programme announced that Mr. Charlton, of Plainfield, Indiana, would read the report of the standing committee on prevention and reformatory work. The paper which he did read was a comparison of the work in reformatories and in other prisons.

On several important matters the members of the congress were virtually unanimous. The only means by which the reformation of a criminal can be effected—in addition to or in aid of religious influences—are strict discipline, instruction in some trade or occupation, careful training in habits of industry which may lead to a liking for labour, and such literary instruction as will not only increase the criminal's stock of knowledge but will enlarge his intellectual powers and lead him to more correct habits of thought. The criminal should be treated kindly yet firmly, but above all justly, and everything possible should be done to create or renew in him manly and honourable feelings and a desire for better things.

Every one who spoke of the county gaols condemned their construction as exceedingly defective—with few exceptions—and their management in most cases as the worst that can be imagined. They were described as nurseries of crime and as having caused the ruin of countless thousands. The gaols of defective construction are retained because in most cases the county authorities are unwilling to build new gaols on a proper plan, being in many cases of opinion that they would not be justified in imposing heavy taxes on honest people for the sake of trying experiments for the benefit of criminals. The mismanagement was attributed to the fact that the sheriffs who have charge of the county gaols

and derive a large part of their income from them are elected and are really subject to no authority. General Blinkerhoff stated that in Ohio several gaols—one account says 29—have been constructed so as to provide for the complete separation of the inmates. But in nearly all of these the sheriffs neglect or refuse to give effect to the separate system and prisoners are allowed to herd together during the day time as in other gaols. The only effectual remedy for this state of things it was argued was that gaol buildings and gaol officials should be placed entirely under control of the State. Even this it appeared would not be sufficient unless some method of selecting gaolers fit for the work could be found and such men when selected should have security that they would hold office during good behaviour. Where the warden of a penitentiary or superintendent of other penal or reformatory institution is appointed by the governor changes are not infrequently made and the effect is almost invariably evil. It was repeatedly urged that the absolute control and management of all houses of detention and gaols and of all penal and reformatory institutions, should be placed in the hands of a State board, non-political and independent.

The lease system of some of the southern States was the subject of an interesting discussion. Mr. Lee, inspector of prisons in Alabama, read a paper in which several statements made in a northern paper respecting the treatment of the prisoners by those to whom their labour is leased were contradicted. Mr. Lee stated how the prisoners are treated in Alabama and what care the State takes to enforce the performance of the stipulations of the lease for the prisoners' benefit. The lease system was forced upon the States by the circumstances which existed at the close of the civil war, and the general intention is to establish prisons, such as the best of the northern States, as soon as possible. Dr. Sime, who is strongly opposed to the lease system, agreed with Mr. Lee that the statements made by some northern papers as to the actual condition and treatment of the prisoners are grossly untrue. The discussion, although interesting, did not contain much for the consideration of the commission. There was some difference of opinion as to the amount of labour that should be required of a convict. That he should be required and compelled to do as much work as such a man would be expected to do in the free labour market of the outer world seemed to be the prevailing opinion. In reformatories generally the grading of the prisoners, the use of a special dress for each grade, the use of badges and other such incentives to good conduct are thought necessary. The system of marks, by which a reduction of the period of confinement may be earned, is used in prisons and reformatories and appeared to be generally approved of. There was some difference of opinion as to the extent to which literary instruction should be carried. All agreed in regarding it as a valuable reformatory agency, but, while at Elmira several of the convicts pursue what has not inaptly been described as "a university course," and at Concord, Mass., and other institutions an excellent education is given, the course of instruction in many instances is confined to reading, writing and arithmetic. As to the value of religion in the work of reforming criminals there was evidently much difference of opinion. No one ventured to assert that it was useless or unnecessary; but between the opinion of Colonel Tufts, of the Massachusetts reformatory, who insisted that without Divine assistance the true reformation of a criminal is impossible and the opinion of those who thought a sermon from a star preacher on Sunday evening better than the constant ministrations of a regular chaplain of inferior parts the difference was very marked. Indeed, many of those who spoke most warmly of the importance and necessity of the chaplain's work were of opinion that a chaplain to be successful must be a man of great ability, of much knowledge, of keen discernment, of great experience, of profound sympathies, broad minded,

eloquent, and above all earnest. But, nevertheless, the existence of two very distinct schools and the divergence of the two lines of thought were evident. One regards crime as deserving of punishment, but while punishing strives to reform, and while attaching much value to discipline and intellectual and industrial training as means of reformation, relies chiefly upon religious influence. The other, while professing a due respect for religious influences, speaks of punishment as vengeance, of crime as the result of natural defects, physical and mental, or of a neglect of the State's duty, and relies chiefly upon natural and material means of reformation, such as improve the body, expand and enlarge the intellect, strengthen the will and convince the prisoner that all his chance of success and happiness in life depend on his abandoning the ways of crime and living a sober, industrious and honest life.

Nearly all the members of the association were guests of the Burnet House and the conversations held there during the hours intervening between the sessions of the Congress were devoted almost exclusively to the questions discussed in public and to kindred topics. The importance of such institutions as that at Elmira and Concord whether called reformatories or intermediate penitentiaries was generally admitted. Although reformation should be sought in all penal institutions, comparatively little can be effected in the ordinary penitentiaries and in such institutions the separation of the young persons confined for a first offence who may possibly be corrigible from old offenders who are regarded as incorrigible is manifestly impossible. Reformatories for men now exist in several of the States and all were said to be doing good work. Mr. Myers, superintendent of the Minnesota State Reformatory informed me that this institution is to resemble the Elmira Reformatory as far as practicable. It has been established but a short time and has only about 140 inmates. The number is increasing and as soon as the State Legislature makes the necessary appropriation he will increase the number of industries which as yet are few. The inmates receive a portion of their earnings. It is paid to their families or held to form a fund which they may draw when discharged. He speaks very hopefully of what this Reformatory will accomplish Mr. Round, of New York, has within a short time commenced a most interesting experiment. He has established under a state charter a reformatory for boys to be supported by voluntary contributions and by such sums as may be paid by parents for the maintenance and training of boys whom they can not control at home. In some cases a wealthy parent pays for one boy as much as enables Mr. Round to take in two other boys. He has at present only 44 boys, but he has a great many applications and as he is confident that money for the erection of buildings and other purposes will be found he expects that his institution will soon grow to what he intends shall be its full size. He has a farm attached to the institution which is on the cottage plan. He thinks that there should not be more than fifteen boys in a cottage and that cottages can be built of rough boards to answer all purposes at a cost of $1,200 to $1,500 each. His boys rise at five o'clock in summer, have a good general wash taking their shirts off for the purpose, then breakfast and after breakfast prayers. Then they go to work, chiefly on the farm. The division of the day into working hours, school hours and recreation hours is much the same as in other reformatories. Neither grammar nor geography is taught in the school in the usual way. The boys learn grammar from reading and conversation and geography from the maps on which they are taught to look for places named in the day's newspapers. The especial characteristic of the institution is that while it is strictly Protestant it is managed by a body of religious who call themselves Brothers of St. Christopher. They did not wish at first to take the name of any saint lest they may be suspected of leaning to Catholicity. The applications for admission to this order are said to be more

numerous than can be entertained. When an applicant is admitted he signs a paper pledging himself to do any duty that may be assigned to him without pay for six months and to observe all the rules. At the end of the six months he signs a similar agreement for three years if he so wishes and he is approved of. He may renew the agreement at the end of three years. He receives only food and clothing and of course he is lodged. Mr. Round appears to have been led to the establishment of this order by having observed the great success of the New York Catholic Protectory. Very few of the boys who pass through that Protectory afterwards fall into the hands of the police and this Mr. Round attributes to their being cared for by men who devote their lives to the training of those boys from religious motives and who do not work for pay. He believes that his brothers have much more influence over the boys in his institution than any paid teachers could have. The Brothers who are now nine in number and who will number 25 when the institution is complete are with the boys constantly. Two sleep at night in each cottage in rooms overlooking the boy's dormitory. They rise with the boys in the morning and in the wash room, at the breakfast and other meals, in the chapel at prayers, in the fields, the workshops, the school room, the playground, one or more of the brothers are always with them taking part in prayer, in work, in study, and in recreation. Except that more time is given to prayer and to religious instruction and that the Brothers so thoroughly identify themselves with the boys, the training and employment differ little from those of other institutions. Mr. Round, however, regards the results as eminently satisfactory.

The Reformatory for women at Sherborn, Mass., is regarded as one of the most successful institutions of this class in the United States. Dr. Rosebrugh who although he attended the Congress as the Secretary of the Canadian Prisoners Aid Association, omitted no opportunity of helping the work of the Prison Reform Commission, sought and obtained an interview with Mrs. Johnson the superintendent to whose ability and zeal the success of that reformatory is so largely due. I was also invited to be present.

Mrs. Johnson explained very freely and fully the principles and methods on which she manages the institution and what she believes to be the results. Women and girls not under fifteen years of age are sent to this reformatory. One girl of 13 who was a mother was sent to her and she has a woman of eighty. The report of 1889 shows that of those committed in that year 53 were under 21 years of age and 91 were from 21 to 30. The total committed in that year was 206. Of these 92 were committed as drunkards, nine of them being under 21 years of age. 29 were committed for offences against the person and 51 for offences against chastity. As many as 41 of those committed had been previously committed, two, three, four or five times and of those recidivists 25 had been previously committed for drunkenness. The total number of inmates on September 30th was 244. When Mrs. Johnson left home it was 230. The average now is about 230. The number of inmates in former years was much larger having been at one time over 400. In 1884 the commitments were 309, and of these 153 were for drunkenness. The minimum sentence of the prisoners sent to this reformatory is one year, the maximum is 12 years. The average length of sentence last year was one year four months and one day. Promotion in prison and a rebate of sentence varying from three days per month upwards are earned by good conduct alone and determined by the number of marks. Besides the superintendent, physician, clerk and deputy superintendent there are six matrons, 28 deputy and assistant matrons, and some other employes. The salaries amounted to $23,376 last year. Other expenses including $5,100 for alterations and repairs amounted to $36,548 of which $14,044 was derived from the labour of the inmates and such part of the

products of the farm as were sold. The farm is 70 acres in extent. Forty acres are cultivated. They have about 24 cows of which 19 give milk. The cattle are always kept in the barn. Last year 4,792 pounds of butter were made and the whole products of the farm were valued at $9,340

The principal industries are shirt making for which $8,294.54 was received last year and laundry work which brought $3,272.13. Tailoring is now done to a very limited extent, The chief object is to teach the inmates how to make an honest living when they return to the world. Several of them are carefully instructed in domestic work of which very many are quite ignorant when received, and women do whatever work they can do on the farm. To be employed occasionlly in farm work is an object of ambition as it is regarded as a mark of confidence. Men are employed only on the farm. All the officers and servants of the institution including the chaplain and physician, are women. There are no armed men to keep guard and enforce discipline as in other institutions, and Mrs. Johnson would not have it otherwise. The superintendent, physician and chaplain are appointed by the governor of the state with the approval of his council. The matrons and other employes are appointed by the superintendent subject to the approval of the commissioners of prisons. Party political considerations, Mrs. Johnson says, are never allowed to influence the appointment of officers or the management of the institution.

Although a statement of the average sentences is given, the reformatory is really conducted on the principle of indeterminate sentences and prisoners who are paroled are always indentured, as this is considered best for the prisoners themselves. The wages they are to receive are always agreed upon.

The prisoners are graded and promotion badges and marks are employed as incentives to reformation. There are three grades distinguished by difference in dress and by the manner in which they carry their hands when walking. The third grade have no table cloths at meals and use the chipped and broken ware removed from the tables of the others grades. Their food is coarser and they are refused many indulgences and privileges accorded to the others. The tables of the second class are better furnished. Nothing defective or showing signs of wear is placed on the table of the first-class, and the members of this class enjoy much more freedom and greater privileges. The badges when won confer special advantages. The system of marks is peculiar. At the beginning of the week each prisoner receives ten good marks which go permanently to her credit unless she forfeits some or all of them by misconduct. Mrs. Johnson thinks a prisoner does much more to avoid forfeiture than she would do to gain marks.

Mrs. Johnson attaches much importance to what she calls the probation system. Every prisoner on entering the prison is placed in solitary confinement in a large, well-lighted cell, ten feet by twelve, in which she is kept from two to four weeks according to her age, the number of convictions and the crime for which she has been sentenced. She is allowed to see no one but the superintendent and the matron in charge and these endeavor by daily conversations to learn the character and disposition of the prisoners and the best mode of treatment. Neither during this period nor subsequently is the prisoner allowed to speak of her past life. Mrs. Johnson, differing in this from the superintendents of other reformatories, thinks it best that she should learn nothing of the prisoner's past except the cause of her committal, and that the prisoner herself should as far as possible put that past completely out of sight. Another object attained by this seclusion is that the criminal news which prisoners are so eager to hear, and

which when heard does so much to revive old passions and inclinations is kept from the other inmates. Criminals' news three or four weeks old is uninteresting.

When the character of the prisoner has been ascertained, and she seems to be sufficiently prepared she is placed in the grade that is thought suitable. Old hardened offenders and those guilty of serious crimes are placed in the third grade. From this most of them strive successfully to escape. Although prisoners are sometimes reduced from the second to the third grade, there were only nine in the third grade when Mrs. Johnson left Sherborn, and there were over a hundred in the first. Each grade has its own section of the prison in which the prisoners eat, sleep and pass all their time unless when they are at work or at recreation, prayers, etc. The prisoners of the different grades meet only in the work-rooms and there no conversation is allowed unless when a prisoner asks some instruction or direction from a matron. During recreation the members of each grade are allowed to converse freely, but improper conversation is strictly forbidden, and when indulged in is severely punished. The prisoners may walk together in threes but not in twos. If anything improper is said or done one of the three is sure to tell. Dancing is never allowed as it would remind many of the prisoners of that which the superintendent wishes them to forget. The supervision at all times is strict, and no misconduct can escape the observation of the matrons who are always with the prisoners. Much attention is given to the literary instruction of the prisoners and they are encouraged to form voluntary associations, singing classes, etc. Temperance societies have been formed in which the prisoners take an active part." The chaplain says in her report for last year, "the school duties, both day and evening, continue to be a very satisfactory and encouraging part of our work. In the evening schools we have taken up arithmetic, geography and United States history, the great majority of the women never having had any instruction in the two latter branches. Their progress has been very commendable and the earnest interest they manifest makes it a pleasure to teach them." She reports also that the women highly appreciate literary privileges.

Mrs. Johnson regards religious influences as of the very highest value in the work of reformation. Besides the regular ministrations of the chaplain, regular service on Sunday morning and Bible class in the afternoon and daily evening devotion in the chapel, the Protestant prisoners have an evening "Sabbath service" conducted by one of the clergymen of the neighborhood. Mrs. Johnson spoke with enthusiasm of the work done by a Catholic priest, who, although he receives no remuneration, says mass and gives instruction every Sunday and attends on three other days of the week, having confessions on Friday evenings. The benefit of his labours she thinks are very manifest.

Mrs. Johnson thinks that in a very large proportion of cases the prisoners go out thoroughly reformed. Even of those who are regarded as confirmed drunkards many she thinks can be saved. She told us of many whom she had had under her care who are now leading good lives. She is satified, however, that a drunkard cannot be reformed in less than two years and even that period she considers almost too short to do the work thoroughly.

The superintendent requires all prisoners to give her written authority to open their letters which are always carefully examined in such case. If they refuse all their letters are overheld until they are discharged. The prisoners are not allowed to see the daily papers.

A set of rules have been printed, but changes are made as circumstances require. These are fully explained to the prisoners, but as they are frequently made the new rules are not printed.

While in Cincinnati I took occasion to visit three police stations, including what is called the house of detention and also the county gaol. In one the visitors were shown a large room in which the policemen are required to take gymnastic exercise at least once a week under a competent instructor. This, we were assured, has had a most beneficial effect and has done much to make the use of the truncheon less frequent. The police are also required to attend a school—once a week—in which instruction is given as to their authority and the manner in which it should be exercisd and as to their duties. In another large room in this building are the cells. A great iron cage made of flat iron bars in open lattice work is divided by similar bars into a number of cells. The prisoners are thus kept apart, but they can see one another and communicate freely. A free circulation of air is perhaps secured by the use of such a structure and indeed there was a remarkable absence of foul smells, but in all other respects this mode of confinement seems very objectionable. In the same room is a smaller cage in which women were at one time confined. The end of this next to the men's cage is of boiler plate set close. At the police headquarters, now in a temporary building, the cells are also constructed of iron lattice work. In neither is there a second tier of cells and the top of the cell, which is some feet below the ceiling, is of lattice work like the sides. All women and girls, and boys under fifteen, who are not notorious criminals are now sent in a covered patrol wagon to the house of detention, which is also a police station. The women are there placed in charge of two female guards who search their persons and take such care of them as may be necessary. The cells are in an upper room. They are of lattice work also, but the bars are of wood and instead of having a cell for each prisoner, as would be possible on most occasions, there are a few large cells in each of which a number are often huddled together. In some were stretchers, but in the larger only bare benches which may be easily kept clean. The very disorderly and unmanageable are placed in cells on the ground floor and if any of those placed in the upper room prove disorderly they are removed to the lower cells, the matron on guard having the means of instantly calling the police from the guard room to her assistance when they are required. The advantages of having a separate place of detention for women and children under arrest and of having them placed in charge of women are obvious. But in the arrangement of the Cincinnati police stations there is little else to commend except indeed that they are clean and well ventilated.

I was told that the county gaol is an extraordinary production of perverse architectural ingenuity, and such I found it to be. It is supposed to resemble one-half of a star. On each side of three rays—as they are called—elliptical in shape are three rows of cells, five in each row. The galleries on which the upper cells open, are approached by a stair-case without the "ray" and the doors open on the galleries so that each faces a person walking round. Each cell has a water-closet. The cells in the lower tiers are almost dark and badly ventilated. At the point of the ray are two dungeons, perfectly black holes, for the punishment of the refractory. The one floor, a space of about 45 in length by from 25 to 5 feet in breadth, is the only place in which the occupants of the 30 cells can take exercise. There I saw a number of prisoners. Some were pacing up and down vigorously. Others sat on the floor playing cards—there are no seats of any kind—and around these were gathered a group apparently much interested. In this gaol some are undergoing sentences for twelve months, and even for longer periods, as far as I could learn, but they can never breathe the free open air or get a glimpse of the sky. As the gaoler was not in the gaol at the time I could not learn whether any attempt to classify the prisoners is made. Those undergoing sentence could be kept apart from those awaiting trial, or the

hardened old offenders from the less criminal; but it did not seem to me that anything of this kind was done. The kitchen and laundry were comparatively large and convenient, and although the whole interior was dingy and dirty looking and some parts of the lower floors were wet, the atmosphere was only heavy and oppressive. It was not fœtid as might resaonably have been expected.

When I visited those places there were few prisoners in the police stations for men, and only two women, arrested for shop-lifting, in the house of detention, although it was then eleven o'clock at night. Friday, we were told was "the off night" of the week and the greater number of arrests are made on Saturday and Sunday nights, when the working classes have most money to spend. At the meeting of the Association on Tuesday, a lady who visited the house of detention on Sunday night, stated that she saw there seventy-five prisoners, the greater number of whom were arrested for drunkenness. Although these were the prisoners arrested on the two nights, the number seems very large. It may be that it was so large because the police of Cincinnati, newly organized, desire to furnish proofs of the efficiency and vigour for which their chiefs claim credit How many of the seventy-five appeared in the police court, I did not learn. But a large proportion of all arrested for drunkenness are held merely for safe keeping, and are allowed to go when they have become quite sober.

I was not able to visit the House of Refuge and the Workhouse, which are said to afford a remarkable instance of the superiority of institutions entrusted to experienced persons not exposed to the danger of removal for reasons merely political over those in which the superintendent and chief officers are changed as often as the party character of the government of state or municipality changes. The House of Refuge, a large institution in which boys and girls convicted of petty offences are cared for, is under the charge of Mr. Oliver, a gentleman who, I was told, was trained in prison and reformatory management in France, and who was afterwards in the employment of the Girard Institute in Philadelphia. This refuge is admirably managed. The superintendent of the Workhouse is usually appointed by the party in power, and the Workhouse is not managed as well as the Refuge. Dr. Rosebrugh visited both institutions and he assures me that what I was told of them is true.

Respectfully submitted,

T. W. Anglin,

Secretary.

APPENDIX E.

THE EVIDENCE.

The evidence of the gaolers of the Province as to the condition of the gaols, the number of corridors and cells in each, the number and size of the yards attached to each, the number of prisoners confined in each, the crimes and offences of which the prisoners were accused or convicted, and the attempts made to classify them will be found in a condensed form in the report, pp. 122-145.

HAMILTON, 9th July, 1890.

Present:—J. W. LANGMUIR, Esq., Chairman; Hon. CHARLES DRURY, Hon. T. W. ANGLIN, Dr. ROSEBRUGH, A. F. JURY, Esq.

JAMES OGILVIE, called and sworn:—

The CHAIRMAN:

Q. When were you appointed gaoler of Hamilton gaol? A. On the 21st July, 1885.

Q. On September 30th you had 20 men, 5 women and one boy under 16 in your custody; you have sixty cells and six corridors. Could you make a perfect classification of these twenty-six prisoners on that day? A. Well, I could make a classification of that number pretty nearly perfect.

Q. Well, let us understand how near you came to a perfect classification; supposing you had civil prisoners where would you have kept them? A. If I had had a debtor I would have put him with the boys.

Q. What would you have done with the insane? A. Well, the two insane women are weak-minded and we keep them on the side that we keep those whom we don't consider hardened criminals.

Q. Did you keep the civil separate from the criminal prisoners? A. I had one civil prisoner that day and he was placed with the boys, and was thus kept separate from the criminal prisoners.

Q. Did you keep sentenced prisoners from those waiting trial? A. No, I could not have done that without mixing the young offenders with hardened cases.

Q. Then, it would appear to be impossible to make a perfect classification of your prisoners, even when you had only 26 in the gaol? A. Yes, I could do nothing further than that.

Q. The confinement of various prisoners in one corridor, although they may be occupants of different cells, is not a perfect classification is it? A. No, the men on each side of the corridor can communicate with each other.

Q. From your experience and observation are you of the belief that the spread of crime and vice is due, largely or to a limited extent, to the bad classification of prisoners? A. It may to some extent, but I do not think it is largely attributable to that; I think that the bad influence of old prisoners is exercised as much outside; that is in our market place as in the gaol.

Q. In what way? A. Prisoners discharged from the gaol congregate there at night, remaining there for hours, men and boys; I believe there are more schemes concocted there than there are in the gaol.

Q. Have you known any cases of boys being corrupted through bad associations in Hamilton gaol? A. No, I do not know of one; I know that when we listen—that is when we shadow boys in the gaol we hear worse language from them than from the men; they will use language that the men, who are generally more discreet or cunning, will not use.

Q. Do you ever hear the older prisoners recount to the younger ones what they have done—their exploits of thieving and stealing? A. No, I have never heard them; on the contrary, I have noticed that they are very careful in talking about previous offences; I have heard them recount the number of times that they have been in gaol, but they are pretty keen about giving away their crimes.

Q. Can you speak as to the effect on their lives, which their being into such company would have? A. I do not know any case where it has had the effect of bringing them back to gaol again.

Q. Can you not remember any specific case where young fellows had come back without showing any signs of improvement? A. There are plenty, but it is generally through drunkenness, idleness or other causes; I cannot tell of any case of their relapsing into crime through gaol associations.

Q. Has the establishment of the Central prison relieved you of the worst class of prisoners? A. It has; the Central prison takes the worst criminals away, and sometimes even the men sentenced for thirty days are removed in that way, when they are short of labor at the Central.

Q. How many men were removed from Hamilton gaol to the Central prison last year? A. Sixty-four.

Q. If those 64 prisoners had been retained in the Hamilton gaol would it have been much more difficult to have effected even as good a classification as you now have? A. Oh yes, because it would have kept us so much fuller.

Q. If the establishment of the Central prison has assisted you very much in the classification of the prisoners what would be the effect if the county had a poor house or poor house and work house combined? A. It would relieve us of quite a number of the vagrants who come here in the winter months; there are quite a number sent to us who cannot work, and are physically deformed who should really go to a poor house—men who have committed no crime, but who from physical disability are unfit for work.

Hon. Mr. Anglin:

Q. Do the rules require you to keep account of every recommittal during the year? A. No.

Q. Could that be done? A. I think it could be done without a great deal of trouble, provided we got new index books every year; I started one last year in October and I could tell how many prisoners have been recommitted since the first of last October.

Q. It is very necessary that such a record should be kept, because you might have 1,000 committments entered but only 400 prisoners. A. That is so.

Q. Of the 64 prisoners sent to the Central prison how many were recommittals? A. I could not tell you, I don't think there would be many recommittals.

Hon. Mr. DRURY:

Q. When the prisoners are discharged from the Central prison at Toronto do they come back as a rule to Hamilton again? A. I believe the Government sends them down here if it is their first term; their expenses are paid back to Hamilton.

The CHAIRMAN:

Q. Coming back to the subject of poor houses, have you a county poor house here? A. Not that I am aware of.

Q. Do you think it would be a desirable institution to have, and would it enable you to improve the discipline of the gaol? A Certainly it would, because it would reduce the number of prisoners, and with a reduction of prisoners would come an improvement in the gaol discipline.

Q. Have you knowledge what the cellular gaol system is? A. Yes, I have heard a good deal about it during the past year or so.

Q. Could you carry out the cellular system as recommended in the report of the Conference on prison reform, recently held in Toronto, under which every prisoner would be so separated that he would have nothing to do with any other prisoner? A. No, I could not; to do that I would have to keep one person only in each corridor, and that would be an impossibility.

Q. To lock a man up in a cell could not properly be called the cellular system; could it? A. No; it means complete isolation, night and day.

Q. Would you be in favor of treating in that way persons who had not been guilty of serious offences; would you not think that was a severe mode of dealing with them? A. Yes, I would not be in favor of the cellular system; it would be cruelty to a man where he would see nobody except the turnkey at certain intervals; it would weaken his mind; it would give more facility for self abuse, which is already practised largely amongst prisoners, and is causing a great deal of insanity in our prisons; we have found this out by constant watching. We have one man who has spent the greater part of the year with us on a general charge of being either insane or a vagrant; he was becoming more and more imbecile, and we had an idea that he was practising self-abuse, but we were never sure; at last we put him in a cell with some old men and he would get up at night after he thought the others were asleep and abuse himself. That is one of my main objections to the cellular system; it would encourage this to a large extent.

Q. What effect would it otherwise have—that is, upon prisoners of the ordinary class; do you think it would induce habits of sound thought or weaken their minds? A. I think it would weaken their minds.

Q Do you think they would be more disposed to return to their vicious habits after they were liberated? A. I think their natural tendency is to brood over their crimes, and the effect of that would be decidedly unhealthy; if the cellular system were adopted I do not think the men should be kept in close confinement over a week.

Q. Do you think the general mental and moral effect of the system would be injurious? A. I think so—the moral effect would be anyway.

Q. Do you think it would act as a deterrent on the commission of crime? A. I am afraid not; it would enable them to brood over their crimes and prepare fresh schemes.

Q. What I mean is, would a man who has undergone the cellular system have a wholesome dread of going back to it again? A. I am afraid not; I do not think you can prevent crime by fear of the punishment.

Q. Then I understand that you are opposed to the cellular system? A. I am.

Q. And you say further that in the present condition of your gaol, it would be impossible to carry it out. A. It would.

Dr. ROSEBRUGH :

Q. Say that you have a boy 15 years of age, and a hardened criminal, and suppose that a lad comes in eight or nine years of age whom you believe to be comparatively innocent, would not the effect of those boys associating together be decidedly bad upon the younger one? A. It would, but if I knew the first one to be a bad case, I would put him in number one west, where we have the men who are not such hardened criminals; I would not put boys such as Dr. Rosebrugh describes together if I knew it.

Q. Do you think it would be any hardship on these boys to put each of them in a room by himself where he would only see the turnkey or the chaplain occasionally, and where he could be supplied with books to read? A. I do.

Q. It would keep him away from the bad boys, would it not, and you could hardly call that cruel? A. Keeping him away from bad boys would not be cruel, but to shut him up alone would be a bad thing; boys as a rule have a dread of the prison; it is a hard thing sometimes to see them crying in their cells for hours at a time.

Q. Which in your opinion would be the less of the two evils, to allow a boy to associate with bad boys in the corridor or to shut him up in a room by himself; which would be best for the boy, for his parents, and for the community? A. I do not think that is a fair comparison to make; I have already said that if I knew of a bad boy in the boys' corridor I would have him removed out of the corridor; I do not think that the cellular system is desirable.

Q. Would you think it your duty as a gaoler to endeavor to ascertain which boys were more or less vicious, and to separate them from the others? A. We could not separate them except hardened cases; we try to find out by overhearing their conversation; that is the only way we can do it.

Q. When you find that one of the boys is specially wicked and likely to lead others into mischief what steps do you take? A. We generally put them separate.

Q. What is the greater number of boys that you have ever had at one time? A. The four we have now is as many as we have ever had.

Hon. Mr. DRURY.

Q. Do you think there would be any practical difficulty in erecting a building close to the gaol under the supervision of yourself and staff, in which the vagrants and mild cases of insanity could be confined? A. No, I do not see any. I would want some more men perhaps to attend to it.

Q. That would be a small expense. A. Yes, a small expense.

Q. Do you know if the County of Wentworth makes any other provision for its poor than sending its vagrants here? A. We have a refuge at Hamilton, and I think the county pays for some at the House of Providence at Dundas.

Q. Each locality has in fact a poor fund for the support of its indigent? A. Yes, but a great many vagrants wander through the county coming from the United States and they cannot get into a refuge because they are not citizens and the magistrate, if they apply to him must send them to gaol, for he has no other alternative.

Q. What is your opinion about working a certain classs of prisoners on the streets? A. The work would be all right I suppose if public opinion would allow it, but you could not send many men under one turnkey at a time. It would be expensive because you would have to get additional turnkeys. One turnkey could not look after many — less than seven and I suppose he would have to be armed.

Mr. JURY.

Q. Do you think that work of that kind would morally degrade them—would tend to make them become hopeless criminals? A. I think it would have a tendency to degrade the criminal classes, the more the public eye is upon a man engaged in a humiliating employment the more quickly he loses his self-respect.

The CHAIRMAN.

Q. As to degradation from that class of work, when a man has been committed ten or a dozen times for drunkenness, do you think that anything could degrade him much more? A. I think he would feel his position more keenly. He does not mind how degraded his position is so long as the public do not know it.

Q. If the system was adopted with a certain class of criminals, do you think it would have a deterrent effect upon them? A. I do not. I think they would grow even more careless, more regardless; a man would say to himself, "Every body knows I'm bad anyhow, what does it matter."

Q. I suppose if a man were committed three times for drunkenness he might be looked upon as pretty well confirmed in that habit? A. I think a line might be fairly drawn there.

Q. How many of the 401 persons committed to your gaol last year for drunkenness would come within that category? A. I think about one-fifth.

Q. What is the effect of gaol treatment upon that class of drunkards? A. It does not seem to reform them. I don't know that I can call to mind any men who have gone from drunkenness to worse crimes, but sending them to gaol does not reform the drunkards. It has not a deterrent effect. Every time they come to gaol they become more hardened and more careless.

Hon. Mr. ANGLIN.

Q. There are a great many cases in which men do not come back after having been sent to gaol once. Don't you think that the punishment, the degradation, has some effect on such men? A. I cannot say that there are many who, having been committed for drunkenness do not come back again. They make promises and keep them for a time but they nearly always come back again.

Mr. JURY.

Do you know any cases of men who having told you that they would not drink again have kept away from it. A. Some might, but others who have made the promise have left the city.

Q. But where they have not left the city? A. I know several cases where temperance societies and Christian organizations have kept them away from drink, but could not say that it is fair to say that the sentence has kept them away from it.

The CHAIRMAN.

Q. You have had over eighty prisoners removed to the Mercer Reformatory and the Central Prison during the year. I suppose a good many of these were drunkards? A. Yes.

Q What effect have the Central Prison and the Mercer Reformatory upon them? A. Well, I do not know that we have got many re-committals from amongst those who were sent to the Mercer Reformatory during last year.

Q. What do you infer from that? A. Drunkenness among women appears to be decreasing. Sometimes we have had quite a number, but last week we did not have a single sentenced woman in gaol.

Q. Is it a fair deduction to make that the Mercer is improving that class or are they dying out? A. I think the dread of the Mercer Reformatory or the religious influences brought to bear on that class have had a good deal to do with it. I think that the proper education of criminals is the best way of doing away with crime.

Hon. Mr. ANGLIN

Q. What do you mean by education? A. There are a great many criminals who can neither read nor write, and once you teach them to read they become more intelligent and give up criminal habits.

Q. But are there not a great many criminals who can both read and write? A. A very large majority of those who commit crime now can only nominally read and write that is to say a great many pretend that they can read and write who cannot do so, and I think were they taught to read and write that would have a good effect.

Hon. Mr. DRURY.

Q. Do you find that those who read and have access to books care about spending their time in that way? A. No they don't care about it.

The CHAIRMAN.

Q. Have you a library in connection with the gaol? A. We have no library but they have testaments and books which the more religiously disposed people and the members of the Salvation Army leave for them, but they don't seem to read them. The sentences of those who remain here are too short for us to do any good with the prisoners in an educational line.

Q. Do you allow them to read the ordinary newspapers? A. No, they would be too well posted.

Q. Do you think that the Central Prison has had a good effect upon drunkards? A. We have had quite a number of drunks who have been transferred to the Central Prison.

Q. Do you know of a good many who have been deterred by the treatment there from coming back again? A. There are some who have not come back, but I could not bring to recollection who they are.

Q. Are those drunkards as a rule supporters of their families, or are they a charge upon their families? A. Those who become hopeless drunkards are generally a charge upon their families.

Q. Do you think any considerable number could be reclaimed by any other course of treatment than common gaol commitment? A. I think they might.

Q. What would you recommend? A. I would say send them to some kind of prison where they would be retained until they went through a regular process of treatment, until the authorities were satisfied that upon being liberated they would keep from drink.

Hon. Mr. DRURY

Q. That would be an inebriate asylum. Do you think that any considerable number of the persons represented by the 401 commitments, if the prison authorities made a judicious selection of them and transferred them to an inebriate asylum and kept them there for periods not exceeding a year, would be benefited by that system of treatment? A. I do not know that they would be in that time. While you kept them there they would be physically benefited, but I do not think you could do much good with them under two or three years. I think that course of treatment would be a decided benefit to young men under thirty who are continually coming back to gaol. There is very little chance of absolutely reclaiming the old gaol drunkard, but I do not see why something should not be done with him.

The Chairman.

Q. Would a certain proportion of those drunkards be benefited by confinement in the Central Prison for a long period, say for two years? A. That would be hard to say.

Q. The Central Prison is an inebriate asylum with the degradation of imprisonment attached to it, is it not? A. Yes, they would be teetotallers while they were there at any rate.

Q. What religious instruction is carried on in the gaol? A. Services are held every Sunday and on Friday afternoons.

Q. Conducted by whom? A. The Young Men's Christian Association and by the clergy of the Episcopal and Roman Catholic Churches.

Q. Do the other clergy assist? A. No, sir; the Y.M.C.A. take the Sunday services, the Young Women's Christian Union come on Friday for the women.

Q. Have you any secular instruction? A. No.

Q. And no library? A. No library at all.

Q. Are prisoners compelled to attend religious observances? A. Those belonging to a particular denomination have to attend the service, and as regards the Roman Catholics the priest comes every Sunday and holds a service.

Q. Have you observed what effect religious training has upon the prisoners? A. There can be no doubt it has done some good. I know one case that of a mechanic who was down in the gutter and it made a man of him. He holds an excellent situation now.

Q. Have you any association in Hamilton for looking after discharged prisoners? A. Yes, there is a Prisoners' Aid Association, or a branch of it.

Q. Does it accomplish some good? A. I do not know. During the last two months there has not been a single prisoner who has asked to go to it.

Q. What, in your opinion, is pre-eminently the chief cause of crime? A. Whiskey drinking.

Q. What is the next? A. Well, there are several things next—ignorance, want of education—but I think whiskey drinking lies at the bottom of all that. Boys who cannot read or write are generally children of drunken parents, and these are the boys who commit many of the juvenile crimes. Boys in the city are allowed to stay out in the evening untill ten or eleven o'clock and to congregate around the market, and I believe it is after dark that these things are concocted. There is one institution in this city which I think is a grand thing for the boys. At St. Matthews' Episcopal Church they have a large plot of ground fenced in and there they assemble for field sports in the evening under proper supervision, for there is always some one in charge of the ground. I think that is one of the grandest institutions that we have in Hamilton, and if we had more of them there would be fewer crimes amongst the boys.

Q. Intemperance and ignorance then are, in your opinion, the chief factors in developing criminals? A. Yes.

Q. What grades of crime? A. Burglaries and forgeries are usually supposed to be committed by pretty well educated men, and most of the criminals of that class that I have come in contact with have been sober. Petty larcenies and disorderly conduct are generally the results of ignorance and intemperance?

Hon. Mr. Drury.

Q. A great many of your prisoners are doing hard labor, I suppose? A. Yes, nearly all. As far as possible we carry the sentence of hard labor out.

Q. What is your experience as to the curative effect of hard labor upon the prisoners? A. I think its effect decidedly wholesome.

Q. Do you think they should have it hard, real hard? A. I do.

Q. You think if you have to choose between idleness and labor that labor has the better curative effect upon the prisoner? A. I do.

Q. Do you find that many really object to labor? A. Quite a number of those who travel from gaol to gaol. There was only one month in five years when there was no stone in the gaol—it was a year ago last August. The news spread rapidly, and we never had so many prisoners in gaol as we had during that month.

Q. Who supplies the stone? A. The city supplies it, and it is doubly useful to the city. A large number of people go to work in the stone quarries to bring it down to us and we break ours so much smaller than what is broken outside that we don't really enter into competition with outside labor. The men outside don't care about breaking it so fine, as they are all on piece work. It does not pay them to do it.

Mr. JURY.

Q. With regard to the reformative effect of the prison upon the character of the prisoner, I should like to know whether you think that is more likely to be accomplished under a system of hard labor than under a system of idleness? A. I do think so. I do not think you could reform a man if you kept him in idleness.

The CHAIRMAN.

Q. How many boys were sent to Penetanguishene last year? A. Eight.

Q. And how many girls to the reformatory? A. One.

Q. Have you noticed the results of such reformatory treatment on those youths. Do they come back again to you after serving their time at the reformatory? A. We get a good many who have been at Penetanguishene back again.

Q. What do you argue from that? A. They are not reformed certainly.

Q. Do you think that an industrial school would be a better method of reformatory treatment? A. I think that it would be a good thing to take the youngest of the juvenile offenders to an industrial school before they get so hardened as to necessitate their being sent to prison.

Q. Were those you sent to Penetanguishene youths who had lapsed into vicious habits, but had not become quite reprobate, or were they hardened criminals? A. They were mostly small boys that an industrial school or something of that kind would have dealt with more properly.

Q. Do you think that in the city of Hamilton and the county of Wentworth there is room for the establishment of an industrial school? A. I do not think there would be enough to support one.

Q. How would it do to group several counties together? A. I think it would be better to group a reasonable number.

Q. Have you heard of the system of boarding out destitute or neglected children who are likely to fall into crime? A. It would hardly pay to keep a school for a small number. The best plan I have heard of is that adopted by some society in Scotland. They go round the country and find people who have got no children and who are willing to take some for a number of years. In those families the children are kept isolated and prevented from falling into bad habits. As this country is now, we have not got many families without children, so I do not know that it would be practicable.

Q. With regard to little boys, could you in a general way account for their becoming criminals. Was it their own fault or the result of their parents' neglect? A. In some cases it was through the vicious tendency of the children themselves. In a good many cases they were children of widow women who had lost control of them.

Q. Who were obliged to go out working? A. Yes; in some cases the fathers work and the mothers go out washing and the children are allowed to run about and drift into crime.

Q. There has been some discussion as to the advisability of placing gaols more directly under the control of the government than of the county council. Do you think that would effect any good? A. I do not know; I cannot see any good that would result from it. I have no difficulty with the gaol authorities as it is. Everything goes agreeably as between the county council and the gaol.

Q. There is no interference with the performance of your duty? A. No, sir, not in the least. Anything that I require and ask for is always granted.

I, JOHN COULSON, gaoler, Welland, called and sworn.

The CHAIRMAN.

Q. When were you appointed to your present position? A. In February, 1884.

Q. What are your views regarding the association of prisoners. A. It certainly is not beneficial to the community, though it might be worse than it is. Common sense would teach me that the effect of allowing prisoners to associate together is bad.

Q. What effect would it have in the classification of prisoners in your gaol if you had attached to the gaol a work house where vagrants and tramps could be committed? A. It would have a beneficial effect. I believe these men should be made to work to earn sufficient to pay for their being kept there.

Q. Have you any difficulty in getting them to work in gaol? A. No, not as a rule, but we have trouble in finding them work to do. We have only wood cutting, shovelling snow, and keeping the place clean.

Q. Not breaking stone? A. Occasionally we have, but it is only within the last two winters that we have broken any stone at all.

Q. Are there any difficulties in the way of getting the broken stone disposed of? A. Well, the officials of the county think it is rather against the paid labor outside to set the men to that kind of work. We sometimes send men out sweeping the snow and doing work of that kind.

Q. Assuming that a greater number of prisoners were sent to the Central prison that you got rid of tramps and vagrants by a proper poor house and work house system, and that your lunatics were removed promptly—the mild cases sent to the poor house and the others removed to the asylum—do you think that you could then have a proper system of classification in the gaol? A. I think we could.

Q. Have you any knowledge of what is called the cellular system? A. Yes, I have heard something about it.

Q. Could you, by the removals I have spoken of, adopt the cellular system in your gaol? A. Not in its present shape, the structural condition of the gaol would not admit of it.

Hon. Mr. DRURY.

Q. What effect would solitary confinement—complete isolation from the other inmates of the gaol—have upon the mind of the prisoner? A. I think it would have an injurious effect

Q. Physically or mentally? A. Well, mentally more particularly.

Dr. Rosebrugh.

Q. Do you think it would have any moral effect upon them? Do you think it would prove a deterrent on crime? A. I do.

Q. Do you think it would frighten them into being better men? A. Well, I do not know that it would frighten them so much.

Q. Would it improve their temperament? A. I think it would. There is a great deal of badness communicated from one to another in an institution of this kind.

The Chairman.

Q. If prisoners were kept hard at work during incarceration would that improve matters? A. It would to a certain extent. When they have nothing to do they are generally studying some mischief.

Q. How are your prisoners employed? A. Well, we have no regular work at all for the prisoners except the ordinary routine duties of the prison.

Q. What kind of labor would you recommend? A. Breaking stones, I think, is very good labor.

Q. Would that interfere with outside labor to any great extent? A. No, I do not think it would to any great extent, perhaps less than anything else that we could employ them at.

Q. Do you think the gaol the best place for habitual drunkards, or could you suggest any other mode of treatment? A. I think I could speak for one or two I can call to mind just now that were sent to the Central Prison for being drunk and disorderly, and I have not seen them under the influence of liquor since they served their sentence. I think the treatment of the Central Prison would be beneficial to that class of people.

Q. Would you recommend for drunk and disorderly prisoners committed three or more times to gaol a long period of confinement in the Central Prison? A. Yes, I think it would be beneficial for them.

Q. What religious instruction have you in the gaol, and have you a library? A. We have instruction occasionally from ministers who come there, and it has a good effect. Sometimes we have none for three or four months at a time. We have no library.

Mr. Jury.

Q. Do you think that the prisoners would like work if you had it for them to do, or would they prefer idleness? A. There are a few that don't want work and would not work if they could help it, but the majority are anxious to work.

Q. Are most of the prisoners men who could under ordinary circumstances earn their living if they were sober and industrious. A. Many of them I know could, but a great many of them are strangers to me.

The Chairman.

Q. What in your opinion is the chief cause of crime? A. In our county I think the chief cause of crime is the liquor traffic.

Hon. Mr. Drury.

Q. Do you find your county council liberal in dealing with your requirements from year to year and with your requisitions for improvements? A. Reasonably so. I have never had any cause to complain.

Q. Has your gaol been built long? A. It was built 33 years ago.

Q. You don't think that there would be any special advantage in your case if the control of the gaol were taken out of the hands of the county and placed entirely under the Government? A. It might be beneficial in some respects. If the gaols were all under the Government we would get a uniformity in certain matters that we don't get now, more especially in regard to the treatment of prisoners.

Q. The feeling is pretty general that the county council are not disposed to spend money to secure a proper classification of prisoners. Do you think that in your county you could induce them to do much more in that direction? A. No, a great deal might be done in that direction in connection with the gaol, but I fancy that our council would not like to undertake anything further.

JOHN HAMILTON, gaoler, St. Catharines, called and sworn :—

The CHAIRMAN.

Q. When were you appointed gaoler of St. Catharines gaol? A. In April, 1846.

Q. Have you ever known an instances in which a man was reclaimed by being committed to your gaol? A. I could not say that I have.

Q. Have you a library? A. We have no library.

Q. Any religious instruction? A. Yes, there are young men from the college, and if they don't come the old generally come, and we have generally somebody. There is no regular minister.

Q. There has been some discussion about the gaols being taken over by the Government? A. Yes.

Q. What is your opinion about it? A. Well, to tell the truth I never considered anything about it. I have never discussed it in any way. I have always got all I wanted from the sheriff and never bothered my head about it.

Q. Then it does not trouble you at all? A. It doesn't concern me at all.

Q. How many turnkeys have you? A. Only one, and little enough.

Q. A good young fellow? A. He is a good man but not young.

Q. How old is he? A. I suppose he is 65.

Q. Well, there is one question that you will be able to give us a good deal of information upon. What do you think is the chief cause of crime in Lincoln? A. That is a question I cannot answer.

Q. Have you not thought of it? A. No, I am not posted enough to answer that question thoroughly. There is nothing like so much drunkenness as there was a number of years ago.

THOMAS E. DAWSON, Sheriff, St. Catharines, called and sworn :—

The CHAIRMAN.

Q. You have heard Mr. Sheriff, the evidence of your gaoler in regard to the want of classification in Lincoln gaol; do you think that it is a source of crime in the community? A. No; they are a good class of prisoners in our gaol. If there were a number of lads committed I should say they should be classified and kept separate from the others. I think that they might be separated more carefully than they are now, but it would be more injurious to keep them isolated and not allow them to mix with anybody. I do not think that the association is demoralising, but that is a question I am not prepared to answer.

Q. Do you not think that the influence of a bad prisoner upon a better one would be corrupting? A. I do not think so. Mr. Hamilton has a certain way of dealing with those cases. In some instances there is no bad influence at all.

Q. In your opinion has the establishment of the Central Prison had the effect of lessening the evils of improper classification. A. Yes, I think it has; I think it has acted as a deterrent against crime. I have found in my experience only one or two come back again to us from the Central Prison.

Hon Mr. DRURY.

Q. Is that owing to the rigid discipline do you think? A. Yes, there is no opportunity of idling there; they have to accustom themselves to work.

Q. Do you think that it would be possible to have what advanced thinkers in penology call a perfect system of classification in your gaol? A. Well, I don't agree with the suggestion that we should have the cellular system, that is, entire enforced separation one from another; I think that would be demoralising and injurious morally. I do not think it would in the slightest degree improve those who were confined. Those committed for burglary, rape and serious crimes of that character should be kept separate from the rest. I do not know that I would have cellular confinement even in those cases, but I think they should be removed from the other prisoners as much as possible, that is from those convicted for larceny and the like.

Q. Do you think that those waiting trial should be kept separate from the other prisoners? A. I think in serious cases they should. I know many instances of persons committed for larceny who had got into trouble through intoxication rather than through a desire to steal.

Q. From what I gather, you think you may associate those waiting trial with those sentenced without any injurious effects resulting? A. Yes.

Q. Taking those awaiting trial who have been committed three times, do you think that the classification in regard to prisoners of that kind, having regard to the seriousness of their crime, would effect any good? A. No, because often those three or four times committed are committed for short periods for simple drunkenness.

Q. Then in your gaol could you have a perfect classification made? A. I think it is possible.

Q. Well, could you if you had thirteen prisoners, seeing that the highest number you had was thirteen? A. Yes, we could with thirteen, but I do not think we could with a higher number.

Q. Your gaoler has told us that there is a poor house at St. Catharines. Is it your belief that it benefits your gaol in point of discipline and classification? A. I think not, for this reason; the poor house is solely under the control of the county. The only ones admitted to it are those indigent people in the county whom the different townships put there. There is no one admitted there except those coming from the townships.

Q. Were there any vagrants, people unable to care for themselves, people who have been for years a burden on the county, admitted? A. Yes.

Q. Would there not be a large proportion of those committed to the gaol if you had no poor house? A. No, because so much would be allowed to families in the county for the maintenance of these and that would be a cheaper means of dealing with them.

Q. Before the establishment of the poor house had you not any larger number of vagrants in your gaol? A. Not that I am aware of. We would have more outsiders, but I do not think that it lessens the number of inmates. It is only those committed for minor offences that we have. The county will not allow any one from the city to go

into the poor house, although the public of St. Catharines is willing to pay a certain amount, whatever may be necessary, for the privilege. In my opinion the Government might have supervision over the poor house and I trust that it will have.

Q. I notice that 32 prisoners were committed for drunkenness and disorderly conduct to the gaol. Do you think that gaol treatment has a beneficial effect upon that class of prisoners? A. Not upon the majority. I think they are chronic drunkards, most of them. Sometimes eight or nine of them are habitual or confirmed drunkards. They are invariably indolent, they are not supporters of families, and in most cases they are a charge upon their families.

Q. What are your views in respect to industrial schools. Have you noticed the working of these institutions, and have you formed any opinion regarding them during the time you have been sheriff? A. I think that they are very essential things, I know there is one at Mimico. I know one boy who was sent by our police magistrate down to Mimico and his parents paid for him.

Q. To what do you attribute the vicious disposition of that boy? A. There has been negligence on the part of the parents. He has been allowed to roam the streets at night. One of the recruiting grounds for criminals is this roaming in the streets; there it is that they drift into habits of smoking and drinking and then they pilfer. I think that the local authorities or policemen should have power to remedy that. These are sources to my mind for recruiting criminals.

Q. Do you think the gaol a proper place for young boys? A. I do not approve of boys being committed to gaol for first offences. I know of other boys than the one I have named being brought before the police magistrate for sentence and they were liberated after a reprimand. I think it is a lamentable thing that a boy of tender years should be sent to gaol.

Hon. Mr. Drury.

Q. Would you favor the Government taking over the control of the gaols? A. I have not thought of the subject.

Q. Do you think it would have a good effect as regards administration and discipline? A. I do not think so. I should think it would be a very doubtful thing to do until public opinion is ripe for that change. I do not see any good that would arise from the Government taking over the control of the gaols; of course the advantage of uniformity would be secured and the cry just now is for centralization.

The Chairman.

Q. What in your opinion is the chief cause of crime? A. The use of intoxicants, that is the excessive use.

Q. What in your opinion comes next to intemperance? A. Well, we have a great many here for larceny. Larcenies are in many cases attributable to drunkenness. Nearly all these cases arise from drunkenness.

Q. Do many of these prisoners who are committed as drunkards drift into other crimes subsequently? A. No, I do not find that to be the case. I find that those who are guilty of larceny often commit the offence while in a drunken state. They pass somebody's place of business while under the influence of drink, take something, and then get arrested.

JAMES SMITH, Sheriff of the County of Welland, called and sworn :—

The CHAIRMAN.

Q. How long have you been sheriff Mr. Smith? A. Since January 1889.

Q. From your observation do you think that improper classification is a cause of increasing crime? A. Well, it certainly would be a disadvantage. It certainly would not decrease it. I think it would have the opposite effect to a certain extent.

Q. Would that be more the case with youths than with adults? A. I think that these would be more likely to be affected by gaol influence.

Q. Do you make frequent visits to the gaol? A. Yes, very frequent.

Q. Do you generally consult the gaoler about matters appertaining to prison affairs? A. Yes.

Q. In your opinion has the Central Prison had a good effect on the discipline and classification of the gaol? A. Yes, I think it has. It has lessened the number of prisoners and the fewer prisoners we have in gaol the better we can classify them.

Q. Do you think that it is possible to make a better classification of prisoners in Welland gaol than there is at present? A. No, I think not; I think that with the number of prisoners that we have at present we could not make an improvement in the classification, considering the accommodation that we have.

Q. If vagrants and tramps were removed to some establishment specially fitted for them, could you improve your classification? A. Oh, certainly; the largest proportion of the prisoners in the winter season are tramps.

Q. Of the 132 prisoners committed last year I see that there were 72 vagrants. Do these chiefly belong to your own county or are they outsiders? A. A great many have come from other counties. A great many from over the border, from Buffalo, tramps looking for work.

Q. Can you recommend any effective mode of dealing with that class of prisoners? A. Well, it is hard to answer that question. I think hard work has a good effect. Give them all the hard work you can. We always keep them at work when we can.

Q. Can you suggest any employment that could be provided for these people. A. The only employment that I know would be breaking stones in the gaol yard, and I don't know what use could be made of that. If the county would take the subject up of employing prisoners breaking stone, it might be a good thing.

Q. What do you think of working on the streets? A. I do not think the county would take that up because I am afraid it would be unpopular. Anything that leads to expense would be unpopular with a great many people.

Q. Don't you think that the moral effect upon these men whether they are willing to work or not is good; and that it would have a deterrent effect if it were known that men sent to the gaol would be compelled to do a fair day's work? A. Yes, I think they ought to be made to do a fair day's work.

Q. As a general rule are those 86 prisoners who are entered as tramps criminals? A. No, not as a general rule. We have not evidence of the fact that they are criminals. Sometimes we find that they have been encouraged to go out of other counties which were thus relieved of a charge upon them.

Q. Under whose authority would these men be arrested? A. They would be arrested, taken before the police magistrate, charged with vagrancy because they have no means of support. Sometimes to get arrested they will go and commit some petty act of larceny so that a warrant may be issued for their arrest, and that they may be committed.

Q. Supposing they were not not put in gaol, what would happen? A. Well I do not know what would happen If a a poor house were there they would be obliged to take them in.

Q. You think that would be the place for them? A. I do. I know that there are cases of men who find it much easier to get into gaol than into the poor house.

Q. Do you say that if a tramp were made to cut a cord of wood for his maintenance for a day and night that would have a deterrent effect upon him, or would he simply wander into another county where no wood has to be cut? A. I can hardly say; some might but there are others who would not object to work,

Mr. Jury.

Q. Do you find most tramps in the winter or summer? A. We have most in the winter. They find employment in summer, but they make up their minds simply to loaf in gaol in the winter. There is no doubt that some would not be there if there were plenty of work to do. I think a considerable number come from the State of New York.

Hon. Mr. Drury.

Q. What is the practice of your magistrates. Do they commit men simply for being drunk? A. They are generally committed for being drunk and disorderly but sometimes they are committed to gaol when they have not been very disorderly.

Q. Are most of these vagrants as well as drunkards? A. Well most of them are, but I can hardly say what proportion.

Q. What would be the effect of combined action of say the Counties of Welland and Lincoln and the peninsula generally in order to get rid of these tramps and vagrants. Could they not be choked out in some way or other? A. I fancy it would be a difficult matter; they would not go out, and we would be obliged to charge them with being drunk, and disorderly, and thus they are bound to get there anyway. They would steal something or commit some crime.

Q. Would these tramps be willing to work for their food? A. Some of them would, but there are others who would not work if they could help it.

The Chairman.

Q. What in your opinion is the chief cause of crime? A. I think it is vagrancy.

Q. What is the chief cause of vagrancy then? A. It is destitution I think, and sometimes intemperance leads to destitution.

Q. Does destitution lead to drunkenness? A. It might do so, but I would say more generally that intemperance leads to destitution than destitution to intemperance.

Q. What are your views as to the Government taking over the gaols of the province. Do you think much good would be accomplished by that means? A. I think it might help us in some ways. If you could bring the public mind to look at it in a proper way.

Dr. Rosebrugh.

Q. Do you believe that a strictly enforced school law for boys and girls under 15 years of age would tend to lessen the amount of crime? A. I think it would help I think education and temperance two of the principal preventives of crime.

Q. Supposing we had a strict prohibitory law, would it lessen the number of vagrants? A. I think for confirmed drunkards there is no salvation. The only way of dealing with them is to put them where they can't get anything to drink.

JAMES OGVILLE recalled.

Mr. JURY.

Q. I see you had 401 vagrants in your gaol last year. What do you think was the principal cause of the vagrancy in their cases. Were they confirmed vagrants or men who could not procure employment? A. There were a great many confirmed vagrants. In the summer season they beg or lie out at nights, and then there are some who are drunkards. We don't perhaps prove drunkenness against them. They may be noisy and we see them loitering around; we arrest them and charge them as vagrants. In summer as I say they sleep out, and in winter when it is too cold they contrive to be arrested under the Vagrancy Act.

Q. You have more vagrants in the winter than in the summer? A. Yes.

Q. Do you find vagrancy generally on the increase or decrease? A. Well, we had less last year than formerly. I think the chief reason that keeps them away is the large pile of stone that we have to break. My idea is that a large number of these men are professional tramps.

The CHAIRMAN.

Q. What in your opinion would be the remedy for vagrancy and tramping? A. Give them longer sentences and plenty of hard work. I would sentence them to some hard labor prison. Since I gave my evidence I have examined my books and I find that for this year; that is from the first of October there are 717 entries as commitments which represent 409 individuals.

Dr. ROSEBRUGH.

Q. What proportion of the men that come to you have fallen into crime from drink? A. I think over 80 per cent.

Q. Of children under 16, how many do you suppose are brought there directly or indirectly from drink? A. I should say fully one-half of these children that go through the gaol are brought there indirectly through drink.

Q. Do you think that that will be remedied in time by a prohibitory law? A. I think that a prohibitory law would cure it.

Q. Do you think a stricter school law would have any effect in reducing the number of criminals? A. I think it would.

Q. Do you find many truants from school in gaol? A. I do not know about that. Most of these boys that come in admit that they have been away playing a bit or something of that kind.

Dr. ROSEBRUGH, Surgeon of Hamilton gaol, called and sworn.

The CHAIRMAN.

Q. How long have you occupied the position of surgeon of the Hamilton gaol? A. About 29 years.

Q. From your observation during that time, are you of opinion that the prevalence of crime and vice is largely due to the defective classification and corrupting influences of common gaols? A. Well, I am hardly prepared to answer that question. The class that we have as a rule are such a hardened bad set to begin with that it is rather difficult to say how far these influences may have affected them. I think that we have young people going through the gaol who seem to be influenced by their associations, but they have nearly all some bad qualities when they go there. I think most of the young men have been leading bad lives about the town before they have been caught and committed to prison. I think that a proper classification ought to accomplish good, but whether it will do so or not I cannot say.

Q. If you had six boys under 16 in one corridor, some of whom had been in gaol frequently and others for the first time, do you not think that evil effects would result from such association? A. Yes, I think if there were one or two innocent boys confined with three or four bad boys, that would have a very injurious effect upon the boys who had not yet become hardened.

Q. Should there not therefore be a sub-classification or an entire separation of such boys? A. I am not prepared to answer that question. There are so many constitutionally bad. I think that many of the orphans brought out from England are constitutionally sinful and physically diseased, and I think that system of bringing them out should be checked. Our country is getting full of diseased children, who when they become married will procreate diseased children? I think so far as my observation goes, two-thirds of the boys are constitutionally diseased, constitutionally sinful and bad; that is, those who come from the Old Country.

Q. You believe, then, that heredity has a good deal to do with crime? A. I do, I am of that opinion.

Q. Would the association of these diseased children, both physically and morally, with other boys in our community have a bad effect? A. I think it would. I think those boys coming from the Old Country and mixing with farmers' boys here has a bad effect.

Q. The disease that you have reference to is, I presume, venereal? A. Yes. Syphilitic disease transmitted from father to son.

Hon. Mr. Drury.

Q. And will be transmitted again? A. Yes, besides they are not physically strong boys or able to do a hard day's work. That is my observation and firm belief.

Q. What proportion of those youths of 16 or over from the Old Country who came under your observation are of the class that you speak of? A. Well, I am not prepared to answer that question. I think, however, a large proportion. At least two-thirds.

Q. Well, then, your remedy for that would be, as I understand, rigid exclusion? A. Yes, let there be some supervision and some rigid examination before they are brought over in the ships. Only boys believed to be healthy should be allowed to come. Children of diseased parents imported into this country have a hereditary taint and are likely to produce criminality.

Q. And their progeny would do the same? A. Yes, their offspring would be the same.

The Chairman.

Q. Do you find that the establishment of the Central Prison and the transfer of prisoners from the gaol has improved gaol affairs? A. No, not materially. There are not enough taken away. There are only a few taken and our average is only thirty males removed from here in the year. They drift back to the common gaol and are sentenced to the Central Prison over and over again.

Q. Do you think that the lengthening of the sentences of such prisoners would have a good effect? A. I should think it would but I cannot say.

Q. Take the drunk and disorderly classes, of which you had a large number last year, what effect would it have if they were removed from temptation and drink for two years instead of from 30 to 90 days? A. Well, I think if you take the younger class of drunkards it would have a good effect. I have no confidence in the reform of an old drunkard though. You may take him and keep him away from drink for years but he invariably falls back again to his old habits, not really cured or changed. I have known some become temperance men, reclaimed drunkards, but they used to fall into their old habits sooner or later.

Q. What would you suggest for this class? A. Hard work for the old class, and I think for the younger classes there would be some hope of reform if they had three years —I don't think that less than three years would be of much use—in an institution with a view to reforming them. I do not think that a sentence of two years would be sufficient.

Q. Do you think that the Central Prison would be a good place for these younger drunkards, or would you prefer an inebriate asylum? A. I am firmly of opinion that as regards those who could not pay for their maintenance in an inebriate asylum, a place where they would have plenty of work, regular hours and steady employment would be good, and they would stand a much better chance of being reclaimed than if they were allowed to lie about idle. I have known cases of persons who have been in an inebriate asylum and have had no work to do who have fallen into their old habits again.

Hon. Mr. DRURY.

Q. You have not very much faith in the treatment given at the inebriate asylum? A. I may say in justice to these places that I have not had very much experience of them. For these habitual drunkards the first thing you have to do is to get the whiskey out of them, then put them to regular hours, regular work and regular meals; that will cure them if anything will. There is no medicine that would prevent their going back to their old habits again.

The CHAIRMAN.

Q. Coming now to the vagrants and that class of criminals, are they mostly drunkards? A. Yes, they are mostly drunkards and they are always afraid of work. When we have got our stone yard full of stones we are not troubled with so many of them, but when we have not we usually find a large number.

Q. Then work is your remedy for this state of things? A. Yes, work and plenty of it.

Q. What kind of work? A. That is the trouble. I find that other men not of that class don't wish to associate with these. I used to think they should be turned out into the streets. It would be hard to get good honest men to work with this class.

Q. Do you think that for vagrants and tramps long periods in the Central Prison would have a good effect? A. So long as you keep them there.

Q. Assuming that by some means or other vagrants and tramps could be disposed of, and that the drunk and disorderly prisoners could be largely reduced by the removal of a number to the Central Prison or some industrial place do you think that better classification and discipline could be effected in the gaols? A. I think so, I think they could. Some means should be devised to make them so.

Q. Have you had any experience of what is known as the cellular system? A. Well, I should think it would be a good system, but I have not considered it very fully although I have read of it. It is generally supposed that under the cellular system there is a well-devised scheme of employment. I think there is a great deal to be said in favor of such a system.

Q. What is the chief cause of criminality and vice? A. I think that with the female population in the gaols intemperance and prostitution are the chief causes of crime. There is no effective cure for prostitution.

Q. Do you think the great proportion of female prisoners that come under your care in gaol are prostitutes? A. The greatest number are.

Q. What effect has their association with the other classes of female prisoners? A. Well, I am not prepared to answer that question, I hardly know. I think that when a woman is placed in gaol she feels it and she generally says she will never sin again,

that she will never do wrong again, but as soon as she gets out she becomes intoxicated, meets with temptation, and not having the moral strength to resist temptation she falls.

Q. Supposing a servant girl is arrested for larceny and put in the same corridor with the prostitute, what would be the effect of being associated with the prostitute? Do you think she is liable to come out as bad as the other? A. No, I do not think so. I am not very sure what the conversation would be, but I rather think that the conversation would not be in that direction. I think the conversation between women in that way is not very bad.

Q. Do you think that there is need in the Province for some other institution than the Penetanguishene Reformatory for boys who have a tendency to crime either from destitution, neglect or evil influences? A. Yes, sir. I think that we are badly in need of houses of refuge in the country. We frequently see in the gaol poor people who have no means of support, who are unable to take care of themselves, and who are not proper subjects for an asylum. We have again and again people in the gaol who should be in the poor house where they could be taken care of by qualified persons and put under some mild restraint. I have held this opinion for a long time that we ought to have houses of refuge in the counties.

Hon. Mr. Anglin.

Q. Have you ever thought that the State would be justified in taking children from parents who neglect them and allow them to fall into criminal habits. At the present time you know that a boy is not sent to Penetanguishene unless he has done something that makes him amenable to the law? A. Well, a woman complained to me last week that she could not do anything with her boy. He would not work and there was no getting a situation for him, and what was the woman to do? I considered and I said you ought to get the boy to learn a trade, and after a while she said she thought it was no good his learning a trade. I had in view Penetanguishene institution, and I hinted this, but she said he hadn't done anything that would bring him before the court. That boy is falling into bad habits, and there is no is no way of getting hold of him but by sending him to some institution such as you speak of, an industrial school. If there could be some institution devised especially for taking hold of boys who are not yet very bad, it seems to me it would be a good thing.

Q. It would be something like the industrial school system? A. Yes, a place where such boys could learn a trade.

Q. This is a case in which the parent herself desired that the State should take care of her boy, but there are cases in which the parents neglect their duty and even encourage their children in criminal courses. Do you think that in such cases the State should interfere and deprive the parents of the control of their children? A. I would be in favor of it.

Q. Could you give some idea of a state of things that would justify such interference? A. I think that where a boy will not work, where the neighbors say the boy will not work and that he is going to the bad, that he is associating with bad boys, will not attend school, will not remain in a situation when he gets one, I think in that case that if there were some means devised whereby the boy could be taken hold of by some authority and sent away it would be desirable to do so.

The Chairman.

Q. Do you think that it is a proper plan to mass youths together, whether in a reformatory or an industrial school, where all kinds of characters could associate? A. No, I don't. I think there should be some method of selection.

Q. Do you think an industrial school could be established whereby the family relation would be better maintained, where a few boys could be put under the control of

a household in the country with a farmer and his wife, subject to some kind of supervision by the authorities? A. I think there are boys who wish to become farmers and boys who wish to become mechanics that might be put out in this way.

Q. What are the chief causes of crime in the community? A. The chief cause—preeminently the chief cause—is intemperance. Idleness and poverty are perhaps the outcome of intemperance.

Mr. JURY.

Q. Do you think the lack of employment is a cause of crime? A. I mentioned idleness as being one of the causes.

Q. But there is idleness over which the individual has no control; that is, when he is unable to find work? A. That may be.

Q. What do you think would be the best means of preventing boys from falling into crime? A. I think boys ought to be kept at home in the evenings. If they are allowed to congregate at the street corners at night they hear a great deal of bad conversation and they learn a great many bad ways.

The CHAIRMAN.

Q. You have already told us that heredity and bad evironment together are great causes of crime. Do you think that crime is due in a marked degree to hereditary causes? A. Yes, sir. I think if an honest and truthful man marries a woman whose family history is one of untruthfulness, thieving, etc., the children born under such circumstances will turn out to be thieves and liars, and as a general rule while there may be one or two like the father they are congenitally born that way.

Hon. Mr. DRURY.

Q. Do you think that if the child were removed from the influence of the mother at an early age it would still be inclined that way? A. I think that if the mother died when the child was an infant it would grow up a liar and a thief.

Q. Is it not due very much to the bad example in both cases? Supposing the father is not very truthful and the woman an excellent woman, do you think that she might have a good effect upon the children in teaching them and training them to the same habits as herself? A. I think so.

Dr. ROSEBRUGH.

Q. In regard to cellular confinement, it has been carried out for years in Great Britain and all criminals sentenced to penitentiaries are sent in the first place to nine months' solitary confinement. In Belgium they are incarcerated in this way for the entire period of their sentence. Some experts claim that this causes insanity, and when the continued separation from their fellows ensues it injures them mentally. Do you believe that too much confinement in gaol on the separate cellular system of treatment would have a bad effect on the person's mind? A. No, I do not.

Q. You do not think that a few months' confinement would have an injurious effect in that way? A. No. But I do not know what several years might do.

The CHAIRMAN.

Q. Would you require to have the proper structural requisites for airing and lighting and employment before you would recommend the adoption of the cellular system? A. Yes.

W. C. BARNES, called and sworn. 10th July, 1890.

The CHAIRMAN.

Q. You reside in Hamilton, Mr. Barnes? A. Yes, 16 years.

Q. You are connected with an association in the city having the care of prisoners? A. Yes, I am honorary secretary of it. It is called the Rescue Home Association. Perhaps I had better tell you how it originated. Four or five years ago I went to the gaol as a representative of the Young Men's Christian Association. I became very much interested in the work, and in the men themselves. They sometimes told me their history, and when I asked them what they would do when they got out of prison, their invariable reply was that they did not know. "What are you in gaol for" I would ask. "Being drunk," they would reply. "Where are you going to now," I would ask. "Going back to my old companions I suppose," would be the reply. And if I enquired what they were going to do for the next meal, they would reply that they did not know. I thought this was a bad system. Here was a man put in gaol for drinking or stealing, and he has to steal for the next meal when he gets out of gaol again; and of those prisoners that were put in gaol nearly all went back to their old associations. I determined that we should, with God's help, get up a Rescue Home. The Y.M.C.A. could not get it up. Gentlemen of position in the city interested themselves in the matter. The city gave us $300, the county $100, and the citizens $150, to see if we could not support a Rescue Home. It was established at 63 Macnab street South. I will read you this leaflet to show what we have done:—"The Rescue Home has been opened, and aiding men who wish to reform, since May, 1888. During that time 111 ex-prisoners have been cared for and helped in various ways, and so far as we can ascertain, only 19 of them have been re-committed to gaol. Some of the men are working in and about the city and leading upright lives. The majority have gone to other places, so that our association has been successful in doing the work it was intended to do."

Q. Have you any record of those who have gone to other places? A. Of some we have, but not of a great many, because once a man has been in gaol and has turned over a new leaf he does not care about correspondence with those who know of his previous career.

Q. How do you select the prisoners? A. Well, we have a regular board of directors, and they decided that all admissions were to be made only by order of the committee, through the Secretary, or on the recommendation of the governor of the gaol.

Q. Then it was practically on your own recommendation and that of the Governor of the gaol. A. Yes.

Q. What class of prisoners did you select? A. We decided that we should make no distinction in color, or religion, or race, or anything of the kind. We said to the young men, "Come into the Home," take your meals, and stay there while you look for work. It was not a question of the crime they were charged with. There was no discrimination in that way.

Q. Did these men pay anything for their support while they were in the home? A. Yes. But we kept them two or three days in the home to give them a chance to find work. I say to the men who have found work, "you can stay for ten cents a meal while you care to remain here and have a bed," and we board them for the actual cost of ten cents a meal. Sometimes they stay as long as five or six weeks. We had an ex-prisoner three months.

Q. I see from your register that the prisoners you rescued had chiefly been committed for drunkenness and vagrancy? A. Yes, but I should take a man in if he were a murderer. Only 19 were re-committed to the Hamilton gaol. The others, after they

went out, became absorbed in the population, or went elsewhere. If a man says he can get work in Brantford or in Toronto, and he shows me good reason for believing that he will get work there, I buy him a ticket for the place. He finds work, and very often we don't hear from him again.

Hon. Mr. DRURY.

Q. Do you ask them to keep up correspondence? A. Yes, but that request is not complied with in a great many instances The men are extremely grateful for what is done for them, but I do not think they care to refer to this period of their lives when they were in gaol. It is better to leave them to themselves than to keep a watch over them; they would not like it.

Hon. Mr. ANGLIN.

Q. You have said you have not had a sufficient number of prisoners at the home, and that the gaoler does not send them; what is the reason? A. He has not been in sympathy with me in this matter, and thus the men are not sent. I reported the matter to the Sheriff, and he sent down a written order, but still we have not had the men sent.

The CHAIRMAN.

Q. You have power to receive discharged prisoners, but if they don't ask for admission no one can send them; it must be a voluntary act on their part, I presume? A. Oh yes, certainly, but the gaoler, I think, has not assisted me as he might have done.

Q. I see that most of the men sent to you were committed as drunkards. Do you think that much good can be accomplished in such a home as yours for the reclamation of drunkards? A. Yes. I think we could reclaim about one-half of them, but when I see these men reeling down the streets I become more and more convinced that it is necessary to have an inebriate asylum to supplement our work. I started a crusade, and discussed the question in the press and otherwise, and got many interested in the subject.

Q. Do you think that your institution is a suitable place for reclaiming habitual drunkards? A. No. Not for habitual drunkards.

Q. Then there is a necessity for an inebriate asylum for that class? A. Yes. I think it would do a mighty lot of good.

Q. Do these men get work quickly after leaving the home? A. Well, they vary. Some are genuine men, but others are lazy and indolent, who don't care for work.

Q. What proportion do you think of these criminals and drunkards who have come into your home have been reformed. A. Well, I cannot follow them up, as they leave the city. I can only speak of the 19 who have gone back to gaol. I think the men are all worthy of the chance of redeeming themselves. The difficulty is, we cannot trace these men after they leave us. All that I can say is, that the majority have proved themselves worthy of what we have done for them.

Q. You see something of a number of them at all events, and from that what would you conclude? A. I should judge that they were reclaimed.

Q. As a general thing is it not a fact that these men often fall into vicious courses after you lose track of them, and that your figures as to the number who go back to gaol may be misleading? A. All I do is to afford some an opportunity of doing better who desire to do so, instead of throwing them upon the world.

Q Do you re-admit to the home? A. Yes, I re-admit.

Q. Out of the 111 cases are there many re-admissions? A. No Very few. If a man went through the home and fell again I would give him a chance. I have given some a second chance, but I have never had them the third time, although I would give a man another opportunity.

Q. What do you think of sentencing confirmed drunkards for longer periods, say two years, to the Central Prison, where they would be removed from drink and bad associates. A. If you put them in prison and kept them away from bad companions I should say it would do them a lot of good, but not so much as an inebriate asylum, where they would undergo a system of medical and religious treatment. But the Central prison would certainly do a lot of good.

Hon. Mr. Drury.

Q. Do you frequently find in the common gaol drunkards who have not been to prison before, men who are given to drinking to excess? A. When a man begins to drink and gets drunk for the first time, he is on the top of the drunkard's ladder, and as he continues to drink he gets lower and lower and gets more debased all the time, so that his debasement may be weighed by the number of years that he has been drinking.

Q. Do you think you can cure a man against his will? A. If I became a dipsomaniac I should become so impressed with the delight of drinking and I should have alcohol on the brain so much that I should not want to be cured of it. Still it is possible to cure a man in that condition.

Q. Then it is a necessity in order to cure drunkenness to put the man where he cannot have his own will? A. Yes. I should put him in an inebriate asylum. I think it is criminal to send a drunkard who has been subject for a very long period to drinking habits to gaol.

Mr. Jury.

Q. If you cured them against their will would they remain cured? A. Certainly, because you liberate the man's mind. His brain is suffused with alcohol, in the first instance, and if you get the alcohol out of it you get the man cured of his craving. Before that he was a dipsomaniac.

Hon. Mr. Drury.

Q. What do you think is the chief cause of crime? A. I think liquor has a great deal to do with crime, and then again after liquor want of christian instruction among the young. Liquor and the want of christian instruction are, to my mind, the two things that chiefly cause crime.

Mr. Jury.

Q. Do you think that certain prisoners ought to be put to harder work? A. I believe that the worst class of tramps and vagabonds who are in gaol should be put to work ten hours a day. I have to work eight or nine hours a day for my living. I cannot see why a tramp or a vagabond should not be under an obligation to do the same thing. There is plenty of work for them to do. Some of it has been waiting to be done in this city, corporation work, for a number of years. Supposing you put these men to work filling up gullies—we have in this city a great many gullies in our thoroughfares, and at the worst places you could put these men to work, it would not interfere with free labor, and it would be far better for them than hanging round street corners.

Q. I see there has been no one in the Home since the 31st of March last? A. No. The sheriff suggested to me that we should leave the matter to the gaoler, and as I have already said he has sent no more prisoners to us.

James Ogilvie, recalled :—

The Chairman.

Q. You have heard the evidence of Mr. Barnes in connection with the Rescue Home. He thinks a great deal more could be accomplished at that institution if you sent a greater number of the ex-prisoners; that you are adverse to the home and that you don't encourage prisoners when they leave you to go there? A. I am not adverse to

the home, that is not true. I have never been adverse to the home. When the home was started the arrangement was that I should send to the home any man who showed a tendency in the gaol to do better, and, we thought, wished to do better. I kept sending up such men as I thought proper persons to go to the home, but Mr. Barnes kept saying to me that I should send everybody. I refused to send some who had a bad record, and Mr. Barnes would receive these very same men whom I had regarded as unfit to go to the home. The consequence was that the prisoners thought I had not sufficient discipline over them when they asked me to send them to the home and I would not do so. One of the parties that I thought ought not to be sent to the home has since been sentenced to 23 months imprisonment, and the other one (there were two altogether) got into trouble in London, suffering there from delirium tremens. He came back to Hamilton again in a state of delirium tremens and he is now here. My idea, derived from the directors, was that this home was for men who wished to reclaim themselves, and I thought that to send hardened criminals there, whom we tried to regulate in gaol by keeping them separate from the others, would not be a good thing for those who had a wish to do better. Besides the Rescue Home people are not the only persons engaged in rescuing prisoners in Hamilton. The Rev. Mr. Geoghegan has rescued a very large number. I have never, however, refused a prisoner whom I thought worthy of going to the home, but for the last two or three months there has not been a man who has asked me for an order to go there. The returns Mr. Barnes has given of those who have come back to the gaol are correct so far as they go, but they only come down to the 31st of March last, and a large number of those who passed through the home have been sent back to the gaol since—that is of the 111 that have been sent to the Rescue Home during the years the institution has been in existence. Sometimes we heard of them passing through the Central Prison.

Q. Were the 111 prisoners that passed through the Rescue Home of the better class? A. Yes.

Q. Are you in favor of the establishment of such a home as Mr. Barnes is secretary of? A. I would not be in favor of the same system; if my suggestion were asked for I should say it would be better to have a private house where the men would be more isolated than by being kept together in this home.

Mr. Barnes, with the permission of the Commission, put this question to Mr Ogilvie.

Q. You have told the Commission that you were in favor of the Rescue Home. Will you tell us how it is if that is so that during the two and a half years the home has been in existence you have only sent 36 prisoners out of the large number that have passed through your hands? A. I have told you I only sent those who I thought could be benefited. I told the directors when they asked me that I did not think there would be more than six or eight during the year.

Rev. Thos. Geoghegan, called and sworn:—

The Chairman.

Q. You are rector of St. Matthew's Episcopal Church of Hamilton? A. Yes.

Q. How long have you been in Hamilton? A. Three years.

Q. You take great interest in prisoners and in boys who are tending towards criminality? A. Yes, for 30 years, ever since I could take an interest in anything.

Q. Do you devote yourself to boys more than to adults, or to both alike? A. We try to make a sort of centre of life for boys belonging to the families in our district. We confine ourselves to trying to bring them together for healthy recreation, games and exercises, and to keep a watch over them so that they will not get into crime.

Q. What class of boys are they? A. Sons of ordinary working people, mechanics and others in the district in which we live.

Q. Amusements and healthy games you consider a very important factor in attaining the object you have in view? A. Very important. To every boy who is capable of music or anything of that kind we give an opportunity of acquiring a knowledge of it in the church; we make that our great object.

Q. What do you consider the chief cause of vice and criminality in the case of boys? A. With boys I think it is wrong views of life, selfishness, and ignorance of what wrong-doing is. That is produced by their habits of life. Some boys have no restraint at home. They are not restrained or punished probably for delinquencies in the public schools; they are on the street all the night. They have no place of recreation, and there are so many by-laws in the city that they can hardly play a game in the street without rendering themselves liable to be arrested. There are no play-grounds provided; they play cricket and base-ball on the market place; they break a window or a door and are taken in charge by the police, lodged in the police station and get their first taste of the gaol, and thus do they begin their downward course. If another course had been pursued with these boys I do not think that one boy in ten who is a criminal now would have been a criminal. If they had proper home instruction, and if the church had done its duty by them, and if the citizens had provided them with a place where they might have indulged in their boyish games. A boy is on the street playing base-ball and he has to steal his game; a policeman comes round and tries to run him down. This boy and some others run away and the next thing they do is perhaps to go into somebody's garden and steal fruit.

Q. Are those boys who infringe city by-laws in the way you speak of sent to the lock-up? A. They are arrested very often and sent to the lock-up. I know three boys under ten years of age who were seen walking on the Grand Trunk track outside the city. A constable took their names down and the patrol waggon went round to their homes at night after they were in bed and took them to the police station.

Q. That seems monstrous. What treatment would you recommend for such boys? A. I would recommend a good application of the switch, and that I think their parents should give them at home. If they were confined at all I would confine them in a dark cell for a while and they would never forget it. I have seen a policeman arrest a boy for playing tick-tack on the window of a man's house. I saw a policeman run a boy down and arrest him and if I hadn't interfered he would have taken him to the lock-up and the boy would have had to stay there all night for a trivial thing like that.

Q. You think, then, that there is a great deal of unnecessary harshness in the treatment of boys by the police force? A. I do.

Q. Do you think these boys when locked up feel that they were unjustly treated, and what effect has this on their minds? A. I do. I think that they would have a sense of injustice. The sense of injustice to the ordinary boy is an important factor in making a criminal of him. He is having an innocent game when he is arrested, and he likes to have it out with the police and with humanity, and when he gets out again and has the opportunity he will want to avenge himself. That is how I would feel myself if I were done unjustly by. I would like to have it out with those who treated me in that way.

Q. Have little boys generally a feeling of this injustice when there is a wrong done to them? A. I find amongst boys as high a sense of injustice done to them as there is amongst grown-up people.

Q. You have observed very closely in the course of your experience in connection with this subject the habits of these boys. What are your views in regard to the hereditary taint? A. I feel very strongly that hereditary taint has produced a great deal of wrong-doing. I have seen children in a family who from the first day that they

could speak almost would tell lies, and they almost invariably grew up liars and criminals. I have watched carefully children who are addicted to this practice of untruthfulness. One child I know almost since it began to speak has been noticed to tell lies, and if it were found doing anything wrong it would try to justify its wrong doing by a lie.

Mr. JURY.

Q. Do you think that the importation of children from the old countries is a source of danger to the community? A. I think there is a danger but I do not think there is a great deal of it. Some children are naturally bad, and they make a certain amount of badness wherever they go.

The CHAIRMAN.

Q. Do you think that there is any necessity for an institution for the care of children apart from Penetanguishene reformatory and the Mercer refomatory for girls? A. I think there is a great necessity for an industrial home, where boys can be taught to work and taught to read and write. I think that would do a great deal of good for the country.

Q. Would you have these homes attached to certain localities? A. I would have them if possible in a central location, and under the best supervision possible.

Q. Are you in favor of congregating a large number of boys together? A. Certainly not?

Q. Do you think such homes could be conducted on the family system? A. I think so. I don't suppose that in a place like Hamilton you could have a home of that kind, but in a district you could have a home where you would not require to wait until a boy offended against the law, but when it was found the boy was untruthful, that he would not go to school, that he was rebellious and lazy, you might take him and maintain him. I think there are a great many cases where parents would be glad to send their children there. I know cases where boys are remaining idle whose mothers are out at work all day struggling to keep their little places together: the father is perhaps away, the boy is playing truant from school and the mother does not what to do with him.

Q. Is there any fear of unduly disturbing the parental relationship by taking children from the parents or guardians? A. I do not think there is. I think there are a certain number of parents, who, if an industrial school were established, and if the discipline were such as would be necessary to train a boy well would be glad to send him there.

Q. In cases where parental control is not strong enough to restrain from vice, would you relieve parents of the control of their children? A. I would, but the parental relations should be only disturbed where there are evidences of the children falling into dangerous habits through parental neglect, then I think the children should be taken away from them.

Q. To what extent do you think the State should interfere? A. I think a lazy man or drunken man should be deprived of his children. Regarding crime as a mixture of laziness, drunkenness and selfishness combined, I think children should be taken away from people who are addicted to these habits.

Q. You would not take children away from the mother even if the father was a worthless man, supposing the mother was good? A. I would not, because I think the mother's influence is very great for good.

Q. How would you define the degree of neglect or criminality that would justify you in taking away a child from the mother? A. I think evidence should be given as to the boy's habits, as to habits of his parents. I think it would be an easy matter to ascertain

the facts relating to each case. I may tell you that a few boys were in a street where I was the other morning, and I thought they were after some petty theft. I watched them out of the window of the church for a few minutes. They went up to a door step and stayed there for sometime and then ran off with a large watermelon. I came out and accosted them and they unanimously said they had not stolen it but found it and were carrying it away. This was at eight o'clock in the morning, and I thought there must be something wrong with a family whose children were out so early in the street. I took the trouble to see who the boys were that were entering upon their downward course. As for the man who owned the watermelon he was satisfied with getting his property back.

Q. You have heard from other witnesses that drunkenness is the chief cause of crime. Do you think that parental neglect as described by you is equally productive of crime? A. I think it is to a greater degree. I think the causes of crime are first, selfishness; second, wrong views of life; third, the tremendous struggle for existence amongst the great mass of our people.

Q. Would you be kind enough to say what you mean by selfishness? A. The desire to gratify ourselves irrespective of others. Generally the enjoyment of selfish pleasures. I should say drunkenness for example would come under that heading. The man who drinks has no respect for himself and does not care whether his wife and family may suffer or not. What may drive him to drink is an entirely different thing.

Q. Do you think that the employment of girls at a low rate of wages has a bad effect upon them and has a corrupting influence in the community? A. The system adopted in some factories and stores in this city is one of the greatest blots I know of upon our civilization. It drives many girls to the life of prostitutes. In the large factories and shops women are standing sometimes eleven hours a day behind a counter, and they have to work their fingers off to get a bare existence. They are not admitted into society unless they are well dressed; they are not even admitted into the church unless they are well dressed. It takes all that they can do to earn enough to keep them, and they must steal or misconduct themselves for the clothes they wear.

Q. Respecting children, do you think selfishness is their trouble too? A. I think so.

Q. Assuming that there is necessity for the establishment of industrial schools or homes such as you speak of, in order to increase the effectiveness of our reformatory system, under whose control would you place such institutions? A. I would place them under the Government of the country. They would not be liable to the tinkering of county councils. I would remove this power out of local party strife and petty issues.

Hon. Mr. Drury.

Q Do you know the industrial school at Mimico. That is established on the lines that you indicate? A. Yes, I know a little of it.

Q. Do you think that outside the voluntary action of the parents, there should be a public official who would be entrusted with the task of saying whether this boy or that is to be removed or not from his parents' care? A. I think so. I don't think that a boy who commits offences on the railway and plays base ball on the street, or even one who goes into a man's garden or breaks a window should be taken through the streets by a policeman or removed to the police station in a patrol wagon. That is sure to arouse the resentment of the boy, who at once thinks he is unduly punished. There is not a single man who would not feel very keenly anything of that kind. These things are not crimes. They are offences against the by-laws in most cases, and it is very undesirable to arouse a feeling of that kind in a boy.

Q. Do you take an interest in the work of reclaiming the prisoners such as the Rescue Home Association has undertaken? A. Yes. Looking after ex-prisoners is a work in which I take a deep interest. I visit the gaol every week and have services every Sunday for male and female prisoners of the Church of England who are there. I

usually take a few books with me, and my object is to get the women and men to join in the service. I make it a point to speak to every man before I leave and thus secure their interest and attention. I ask the governor of the gaol for his opinion as to what should be done with respect to any particular prisoner, because when a man is behind the bars he is very anxious to make one believe that he is innocent and that he has committed no offence. You cannot find the truth from him for he will invariably tell you that he has done nothing wrong. The governor is a good judge of human nature.

Q. You have heard Mr. Barnes' evidence. Are you as sanguine as he appears to be as to the possbility of reforming all the occupants of the gaol? A. Well, I am very sanguine. I believe a great deal can be done. I think that if you take the hardest man that ever passed through the gaol by the hand and treat him as a man and brother, and make him feel that there is a place for him in life and that you are willing to give him that place, you will touch a tender spot in him. I have ministered at the gaol and I have had as good results, perhaps even better results than I have had outside the gaol. If a prisoner is a drinker take him by the hand, arrange his tavern bill, go to his employer and say that this man is pledged to give up drink if he will take him back again; you will thus give him a fresh start and you will find that in nine cases out of every ten the man is suspectible to this kind of treatment. In some cases I have adopted a somewhat different procedure with good results.

Q. Do you think that this work of rescuing discharged prisoners should be the work of private persons or of the Government? A. I think it should be done by the Government and that regulations should be framed providing that no man should be allowed to go out of the prison penniless, and that the State should take him by the hand.

The Chairman.

Q. Do you think that if a fund were provided for this purpose you could find men that would expend it properly for the Government? A. I think it could be done by men who interest themselves in this class of work. If a man did this for the love of it he should be recouped for any expenditure that he may have to make. A man has not always means at his disposal. A clergyman living in a poor parish and amongst a poor people is not always in a position to proffer assistance. If he knew that he would be recouped certain necessary expenditure, either in the way of purchasing a railway ticket or of getting a man employment and maintaining him for a certain time, I think it would be a great encouragement to him in the work. I have never been deceived by any man who has been recommended by the governor, although I have been deceived a good many times when acting on my own opinion.

Hon. Mr. Drury.

Q. The strongest appeal that can be made to a man is the result of voluntary disinterested action. Might not a prisoner say, "This man is paid a salary to look after me, he has no real interest in me. He is a government official and is receiving public money for what he doing?" A. I think perhaps it would, but the expense should not be left to the individual to bear, and it is impossible to do good amongst prisoners if they are not thoroughly looked after.

Q. So that you think that to undertake anything of this kind there should be a grant of public money to recoup the people who give their services? A. Precisely so. Some money might be advanced to some person. The Inspector of Prisons say—who would see that the money would be advantageously used. It is often necessary to help people in this way. I have known many instances in which dicharged prisoners have been saved in this way.

Q. You know there is a Prisoners' Aid Association in Toronto receiving a government and a municipal grant as well as private donations. Would they not be carrying out the kind of work that you have in view? A. Yes.

Q. Then, you would have an extension of the Prisoners' Aid Association to all points? A. Yes. I think if a man goes into the streets of Hamilton without anything in his pocket it is the duty of the State to assist him, and if he goes out into the streets of Toronto I should say the same.

The CHAIRMAN.

Q. What are your views respecting the return of ex-prisoners to the places where they committed the criminal acts for which they were committed. Do you think they should be sent elsewhere? A. Well, that would depend entirely upon what a man's mind is; if the man has a strong mind he can fight his way where he is known, but unless he is a man of an exceptionally strong mind it would be better for him to go elsewhere than remain in a place where he would be in danger of resuming his old associations.

Q. You think that could be done through the Aid Association? A. I think so; it is better than individual action. A man could be removed from one place to another. There might be prejudice against him where he was, but in a new sphere of life he would have a better chance of beginning anew. I am perfectly satisfied that a man who has been a few times in gaol and is known by everybody will not get a chance, a good chance at any rate, of reclaiming himself.

Q. You have visited the Hamilton gaol a great deal. What are your views of imperfect classification and the effect it has upon prisoners? A. I think it has the worst possible effect; it hardens them in crime, and if they were not bad before they went in they are apt to be bad when they come out.

Q. Can you suggest a remedy for this state of things? A. I think there ought to be a poor house for the old men who are past work. There is a man whom I had discharged the other day; there was no crime against him, except the want of means caused by want of work. If there were a House of Industry or Poor House, where such people could be cared for at the public expense, that would relieve the gaol of a large blot that is upon it. I have known men to be in gaol as many as 40 times for drunkenness. I think men of that kind should be removed to some other institution where they can be kept until their habits are cured. That would relieve the gaol a great deal and then the other prisoners could be kept separate.

Q. Do you mean that a certain class of criminals should be placed under separate cellular confinement? A. I certainly think so. I think that the association of the prisoners has a great deal to do with the deadening of their sensitiveness and the sense of shame that they feel when they go into prison for the first time. When this is lifted off—this feeling of the magnitude of his crime—the prisoner feels that he is like others; that there are others there like himself, that he is not the only criminal in the world. These people get together and talk about their crimes.

Q. Would cellular confinement be possible in the Hamilton gaol at present? A. I do not think it would be possible to have any.

Q. If all the tramps and vagrants and imbeciles were removed could you adopt it under the present system. A. I do not think you could under the present system.

Q. Do you think it could be possible to erect a place in connection with the gaol where this could be carried out? A. I think it would be possible to reconstruct the gaol so that this system of classification and treatment could be carried out. I think it would be possible to reconstruct it so that boys might be dealt with in a separate building, and it would not involve a great deal of expense, and I am sure if it could be done that it would be a great improvemen

Q. Don't you think that cellular confinement is a severe punishment in itself? A. I do not think that if a man, arrested on suspicion, has shame left in him, he would care to be with companions during the first day of his confinement. There are few men left in gaol more than a few days unless evidence is brought against them. I know from

experience in England, in the prison at Wormwood, for instance, that the system works satisfactorily. There was a series of illustrated articles published lately in the "Graphic" on this subject. They appeared about a year ago, and the evidence adduced by the writer was that the prisoners who had long sentences spent the first nine months in solitary confinement and were occupied in making bags, etc, and during the time that they were there they were always more open to good influences than at any other time.

Q. Were those awaiting trial or had they been sentenced? A. They had all been sentenced. Wormwood is a penal establishment, the prisoners in which are all sentenced to four or five years.

Q. Then the plan applies to penitentiaries but not to the gaols? A. Yes.

Dr. ROSEBRUGH.

Q. In the case of young boys, do you think that the cellular system would be beneficial to them? A. I think an innocent boy would not object to being separated from other prisoners; but I think that for a bad boy it would be better to be separated.

Q. Failing the adoption of the cellular system, would you have any system of classification attempted. There is a great difference of character in first offenders, some comparativeiy innocent are in great danger of contamination by association with the others; and then again, there are boys of various classes; one boy might do more to corrupt another than even an old sinner would do. How would you have the classification determined? Would you have the law step in and say what should be done, or would you depend upon the governor of the gaol to determine the characters and qualities of the various prisoners? A. I would certainly trust a great deal to the official, but I think the law ought to be such that the official would have behind him something that would support him in doing his duty, because it is a difficult thing for an official to act upon his own responsibility. Somebody finds fault about it when there is nothing behind the official.

The CHAIRMAN.

Q. Could you improve the classification of the Hamilton gaol under the present system, so far as the boys are concerned? A. I think as regards this gaol that the best that is possible with us is being done, that is, so far as my experience goes.

Q. What would you consider a proper classification of prisoners, taking Hamilton gaol with its present population? A. I think lunatics should be separated from all others, I think that old men who are past work should be by themselves, tramps should be separated from the others, simple drunks ought to be separated, and the men who are waiting trial and the men who are sentenced should be kept separate; and I do not know but it might be a wise thing to make a division even in the drunks, for the simple reason that a man might be taken up for drunkenness to-day who may have been down for larceny on some former occasions. I do not think it would be wise to put him in with a drunkard who simply could not pay his fine.

Q. That is eight classes for men alone. Do you think it necessary to make the same classification with respect to the woman? A. I do not think so. There is not the same proportion of them in gaol, I do not think that the crimes for which women are in gaol pass over so wide a field as those of the men.

Q. Would you have an objection to drunken women and prostitutes being put together? A. Certainly I would.

Q. Would you require the entire separation of prostitutes from other females? A. I should.

Q. And the separation of little girls from those older? A. Certainly.

Q. Don't you think that there are some girls under 16 who are as bad as women of 25? Are not some of them prostitutes? A. Yes.

Q. How would you make a classification of that class? A. I would make a classification based upon what I knew of their bearing and conduct. When a woman goes into gaol her air will indicate, her appearance will tell what her character is.

Q. You have given us eight classifications of men and four of women, but is it not just as necessary to have sub-divisions of these classifications? A. Yes; just as necessary.

Q. Supposing you put four men together, charged with four different crimes, would their influence upon each other not be as bad as if they were sentenced prisoners? A. The influence of four men would not be as bad as the influence of fourteen, but there is no doubt that the influence of four men associated together, charged with different crimes, would be bad.

Q. Do you think cellular confinement would have any injurious effect mentally upon the prisoners? A. I think if a man who is not guilty of a crime with which he is charged were removed from the others it would be a great boon to him.

Q. What I mean is this, place a man constantly in solitary confinement, would his mind give way if it were continued for a period of say three months? A. No.

Mr. Jury.

Q. Don't you think that a man might give way who is proved innocent after being kept in that way three months? A. I do not think so, not if he is innocent; but there are very few perfectly innocent men who remain inmates of a gaol two or three months.

Q. Are there not cases where a jury might disagree, and the man be detained in prison? A. There are such cases, but it is seldom that the man is entirely innocent. Even although the jury might disagree.

Q. You are assuming that the man is guilty when the jury disagree, but he might be innocent? A. I think the proportion of those who are innocent is very small.

Q. Would you have this kind of confinement for sentenced prisoners, as well as for those waiting trial? A. I would not have a man sentenced for a long period in the common gaol. I would give him a short sentence and make the discipline severe so that he would not want to come back again. I think if prisoners had more hard work and less food it would be better. I think under the present system of gaol management, many of them would rather live on what they get there than go to work outside. I have seen people trying to raise a family and to earn their support by hard work, not so clean, and not so well fed as the prisoners in our gaol.

The Chairman.

Q. What are your views as to working prisoners in the streets? A. I think it would be one of the best things for the prisoners that you could adopt.

Q. How would you make the selection of the men to put at this kind of work? A. I would choose able-bodied men who had been in before. I should put them on the streets, keep them filling in gulleys, or cutting on the mountain brow. Let them be put at labor that would not interfere with an honest man's work, set them to work making recreation grounds for the young people in the city in each district, and you will accomplish something useful.

Q. Don't you think the employment of men at this kind of outside labor would have a degrading effect? A. I do not think it would, because when a man has been in gaol three times I do not think he could be degraded very much more.

Q. Of the prisoners committed to Hamilton gaol, a large proportion are sentenced for drunkenness and disorderly conduct. Are these men supporters of families, or are they as a rule a charge upon their families? A. Some of them are supporters of families, others are men who simply exist upon their families.

Q. What proportion are utterly useless as family supporters? A. Perhaps a quarter of them.

Q. What would you do with those men who are utterly useless, who are constantly being committed and re-committed? A. I should recommend long periods of sentence in the Central Prison, and they should be placed on indeterminate sentences; that is, they should not be sentenced for less than a certain period, and it should depend entirely upon their own conduct how long they should remain in confinement.

Q. You have heard a great deal of the Reformatory at Elmira. Do you think that we could adopt the Reformatory system of Elmira here with advantage to the community? A. That is a reformatory for young men. I think you might.

Q. Do you think the circumstances are such in Ontario as would enable us to do this? A. I think so. I would not go into it so extensively at first, but I think we might get up an institution here of that kind that would accommodate all that we have

Mr. JURY,

Q. You think that what is wanted for the majority of the boys is more play-grounds? A. Yes, healthy amusements. Opportunity for athletic games in the evenings.

Dr. ROSEBRUGH.

Q. The Commission would like to know your idea of the Government assuming the control of the county gaols? A. I should say that the Government ought to assume the government of the whole of the county gaols.

Q. Could you give your plan of educating the municipalities up to this point? A. I think the majority of the municipalities would not object to that.

Q. Do you think if a vote or a plebiscite were taken the people would decide in favor of such a change? A. I think they would do it. I think if it could be shown that the effect of the Government assuming control would be of advantage to the community, they would do so.

Q. Do you think the municipalities would continue to pay their share of the maintenance? A. I think so.

Q. What would be the difference in the expense to the country, and what would be the effect on some contituencies? A Nothing at all. The whole expense would be spread over the whole country. At present the constituency that sends most criminals has to pay most money. For instance, take the County of Wentworth; if it has a larger number of criminals than another county it would have to pay more for them. I do not think it would be a great hardship for the Government to take control of the gaols, and I do not think it would cost a great deal more. I do not think the people would object to the change. The one thing that would stand in the way would be the question of expense, but the system would be far more satisfactory.

The CHAIRMAN.

Q. You know that the Provincial Government has undertaken a large expenditure in the establishment of the Central Prison that would have been thrown on the Dominion had the Province not erected that institution? A. Yes. I know, too, that a great many people would rather be sentenced to the Kingston Penitentiary for a very long period than sent to the Central Prison for a year. I think the Central Prison is one of the finest institutions in the country.

HUGH MCKINNON, called and sworn.

The CHAIRMAN.

Q. You are the Chief of Police at Hamilton? A. Yes, sir.

Q. How long have you occupied that position? A. In Hamilton nearly four years. Before I came here I was at Belleville. I have occupied the position of chief constable; altogether since the beginning of 1877, that would be 13 years at Belleville and Hamilton.

Q. We want information on the lock-up system at Hamilton. Where is the lock-up situated? A. At King William St., at the rear of our police station.

Q. Under whose immediate supervision? A. It is under the supervision of the police.

Q. And they are under you? A. Yes.

Q. Are there separate corridors for the classification of males and females? A. Well, we have two corridors; if one corridor, that is one row of cells, is filled, we transfer into the second corridor, if there are no females there. There are also two large back rooms where minor prisoners are put, not in cells.

Q. But where two classes are in the same corridor, they are of course locked up in cells? A. Yes.

Q. Can they talk to each other? A. Oh, yes, they can speak to each other.

Q. How long are prisoners generally kept in the lock-up? A. From the time of their arrest until the time that they are brought before the police magistrate on the following morning.

Q. Not a longer period? A. No. If they are sentenced they are sent to gaol, and if they should be remanded they either go to gaol or are bailed out, so that the period of custody in the lock-up is from the time of their arrest until they go before the magistrate in the morning.

Q. If they were arrested on Saturday afternoon would they remain until Monday morning? A. Yes, they usually do, but they are frequently removed to the gaol until Monday morning, and brought up from there. That is the practice in the majority of cases, but in some instances, such, for example, as the case of a drunken woman or a worthless creature, she is left in the cell until she is taken before the magistrate.

Q. As a matter of fact, you sometimes have prisoners remanded over Sunday? A. Yes.

Q. Take the case of a boy arrested for some offence against the by-laws, bathing or anything of that kind, would he be committed to the lock-up also? A. Well, in cases of that kind the offenders are not arrested, but brought up on summons.

Q. For what offences are boys committed to the lock-up, prior to trial? A. Larcenies and misdemeanors.

Q. Not offences against the by-laws? A. I do not know of any offences against the by-laws that boys would be locked up at night for.

Mr. JURY.

Q. For playing on the street, say? A. Oh, no, we take their names and summon them.

Q. How are those who are remanded removed from the cells to the gaol, in the open patrol wagon? A. In some cases a hack is used.

Q. If a man is willing to pay for a hack, would he be allowed to have one? A. Well, it would depend upon the kind of case it was; it would depend entirely upon the circumstances.

Q. Do you think that the evil of association would be likely to have a bad effect upon younger prisoners committed for the first time. A. Well, until a person has passed through his first experience he has always got a perfect horror of being arrested or of being locked up, or as they say, having the key turned upon them. My impression is, that after the first experience, some of them don't feel that particular horror again. With others, however, it is different.

Hon. Mr. ANGLIN.

Q. Do you think that this horror is salutary? A. I think so.

Q. Then the subsequent treatment is demoralizing? A. I do not think that the particular term "demoralizing" would apply.

Q. Don't you think, taking the case of a little girl arrested and shut up with three or four of the most abandoned creatures, do you not think she would come out a worse girl than she was? A. No, I do not think so. I think the experience of the night in such surroundings would have a most salutary effect. I think that she would be so horrified that it would act as an excellent deterrent upon her coming again.

Q. The police cells are not very comfortable, and the surroundings are not inviting? A. No.

Q. How many cells have you? A. Probably about 11 or 12.

The CHAIRMAN.

Q. Take the case of a servant girl charged with petty larceny of the property of her master or mistress, it being her first offence, would she be placed along with prostitutes? A. What we usually do in a case of that kind is this: We don't put the offender even into the cells. We would put her into a large room over the cells, where there is no association, and where, as rule, there is no one else. If innocent persons are arrested they are usually bailed out.

Q. In a case of felony? A. Sometimes they are.

Q. Not at the time of the arrest? A. They are not as a rule bailed out then, but if at the time of the arrest of a person charged with a felony, I have very grave doubts as to whether the charge is likely to be substantiated, I make an effort to have him bailed out.

Q. I have heard that after some people have passed a night in the police cells, they don't readily desire a repetition of the experience. What is your experience? A. They have a perfect horror of it as a rule.

Q. Can you suggest any means of preventing the association of a certain class of boys under 16 years of age, or others who are charged with first offences with hardened and depraved criminals? A. Well, the only possible way in which it could be done would be by more extended premises; by erecting corridors for that purpose.

Q. Can you tell in cases of women brought in under arrest whether it is the first charge against them? A. We have to be guided by our own knowledge merely.

Q. Do you keep a record? A. Oh, yes, we keep a record of those that pass through.

Q. I see that over one half of those committed to gaol were convicted of drunkenness. Could many of these be reclaimed by other treatment than confinement in the gaol? A. Well, of course, it is conceded that at a certain stage of their experience, drink becomes a craving with those, and they cannot be reclaimed. I know large numbers of cases of persons who have not been cured.

Q. The county gaol has not cured them. What would be the effect of Central Prison confinement for a longer period? A. My experience of the Central Prison is, that it is the only prison in this country. It is the only prison to which convicts dread to go, and the reason that they dread it is that it is the only prison where they have to work hard. I have heard prisoners ask police magistrates and judges instead of sending them to the Central Prison for twelve months, to send them to the Kingston penitentiary for three years.

Q. Has that dread a wholesome effect? A. Yes, I think it has. Although a great many of that class of criminals are usually not committed for the most serious class of crimes, but for petty larcenies and offences of that kind.

Hon. Mr. ANGLIN.

Q. Do many of those who have been sentenced to periods of six months or twelve months in the Central Prison come back to your hands again? A. Yes, many of them do, and we find that prisoners who have been sent to the Central Prison from Hamilton have been sent there again from some other place.

Q. Then do you think that the central prison for that class is as good as an inebriate asylum, or any such institution that could be provided? A. Yes. That is, if in addition to the work there were medical treatment for the chronic, unfortunate drunkards, there could be no better place that I can imagine than the Central Prison.

Q. As a general rule, are these drunkards, when they come under your notice, of any use to their families? A. Oh, a large percentage of them are. Very frequently an officer on his beat finds a man coming up to him and asking to be arrested, stating that he can't get straight, and that he wants to go down to gaol in order to be sobered up. The magistrate gives him ten days or two months, as the case may be, until such time as the man can get sober. These men come out and go to work for some weeks and then get drunk again.

The CHAIRMAN.

Q. If a man is a confirmed drunkard, do you think it would be better to commit him for an indeterminate period? A. Well, in many cases I would be strongly in favor of indefinite sentences.

Q. Could any system be devised whereby prisoners could be discharged probationally, and recommitted in the event of their relapsing into their old habits? A. Well, it is my own idea that when a man becomes a chronic drunkard you should send him to prison for an indefinite period, and put him on probational conduct, so that in the event of his going wrong he can be returned to prison.

Q. Could supervision be kept over them through the police staffs of the Province? A. I think so. For instance, if you sentence a man of that kind from Hamilton, and you find him at Brantford, you ascertain his record in the place he goes to.

Q. Do you think it is always possible to follow a man in that way? A. Well, that would be another matter. But taking a man who is a permanent resident of a place you could.

Q. Do you think that the defective classification of prisoners in the common gaol has as bad an effect as some people say it has, or are the bad results limited? A. Well, I think myself that it is limited. I do not think that our gaols are schools for crime. I think that exists more in the old novel than anywhere else. I do not think that we have a man who would sit down deliberately and instruct young criminals to pursue a course of crime.

Q. Do you think that young men or boys could get instruction in crime outside the gaol just as well as they could inside? A. Just as well. Young men bent on crime can obtain their education outside.

Q. Do you think it is possible, under our present system of classification, to prevent the evil association of prisoners? A. Well, the question of the classification of prisoners is one that requires a large amount of study and thought. I believe there should be a certain amount of classification of criminals. I believe that the old and young should be separated. I think that a man who may be convicted for the first time for some minor offence, should not be housed and locked up with an old-time criminal. I think it is possible in that way to do a good deal of harm. It would, besides, have a degrading and more or less demoralizing effect upon the younger men, although so far as actual instruction in crime goes, I do not think that there is much to be feared. I have never taken much stock in that.

Q. Then go a little further, and take the industrial school at Mimico, where 125 boys are in the establishment, are the dangers of contamination great there also? A. Well, there is always that element in connection with a large body of boys brought together from various sources. Some are bad by nature, and some might possibly be influenced by weaker ones to join in some escapade, but whether the education and habits of industry that they are trained in in such an institution will have the desired effect in counteracting those influences, is a matter upon which I cannot speak definitely. My own impression is that it will have the desired effect. I think the system of education and the habits of industry to which they are trained will have a good influence over them, and will more than counteract the evil effects incident to the system.

Mr. Jury.

Q. Does your large experience in dealing with criminals lead you to believe that there is any great hope for a large measure of reform amongst them? A. As regards a great many of them there is.

Q. By their own effort, or by extraneous help? A. Oh, I think that an extended hand does something; there is a large number of them not chronically bad.

The Chairman.

Q. You have established in the city an institution called the Rescue Home. Does it do much good? A. Well, it is an institution that extends a hand to the discharged criminal; to the men discharged from the prison. For the time being there is a home there which offers an asylum and tries to get them work, but I am not so strongly enamored of this system as some people, It requires a great deal of faith to undertake this kind of work, but I will say for the Rev. Mr. Goeheghen, and the work that he is doing, that if there is one man upon the face of the earth whose whole aim is to do good, and to rescue the fallen ones, he is that man.

Q. Mr. Geoheghan has said that this city does not furnish the means of amusement to boys, play-grounds for example, and means of keeping out of evil courses. Do you think that sufficient attention is devoted to this matter? A. I have spent a considerable portion of my life in connection with the police affairs in the cities and towns in this Province, and I contend that the want of play-grounds and the want of proper means of recreation for the boys is a reason why we have so many old criminals. The city fathers forget all about the fact that there should be play-grounds, and the boys playing on the streets get themselves into trouble, and that is one of the reasons why they are so frequently brought into the police court. I have made myself, almost a hobby of trying to get this ground; I have referred to it in my reports for years. Our boy criminal is one of the worst troubles that we have in this city. We have probably in Hamilton a hundred boys who are allowed to go about the place under suspended sentence. It is perfectly startling to me the number of young criminals that we have.

Q. And you attribute it largely to the want of recreation grounds and the lack of proper amusements? A. Largely; although to a certain extent, in most of these boys there is a want of home attraction and want of home pleasure. Here the children are

driven to the streets; they play on the streets and sidewalks and are driven off by the police and the citizens. They pick up an axe or some other article and take it to a second-hand store. These second-hand stores are one of the curses of this country; they encourage petty thefts amongst boys more than anything else. The second-hand store has led to a large amount of petty thefts of articles of almost every kind, not only here, but in almost every town in the Province.

Mr. JURY.

Q. Are there no police regulations governing the second-hand store? I believe, in Toronto, second-hand store-keepers have to keep a record of all that they buy. Is there nothing of that kind here? A. Oh, yes, but you want to have somebody in the shop always to see that everything is entered in the books before you can be sure that an effective control is exercised.

Hon. Mr. ANGLIN.

Q. Some have thought that the appointment of truant officers to see that boys and girls attend school would do a great deal to prevent children from falling into criminal ways. What are your views with regard to that? A. My idea is that there should be intelligent truant officers in every city to see that the parents do their duty in that respect.

The CHAIRMAN.

Q. You think that neglect on the part of the municipalities in respect to the proper education of youths is adding to the crop of criminals? A. I do; that has been my decided opinion.

Q. Do you think that if some remedy were provided for that, it would very quickly tend to a reduction of the number of criminals? A. Yes.

Q. Do you think that there is necessity for an intermediate institution between the public schools and the Penetanguishene reformatory and the school for little girls at the Mercer; that is, an institution that might be utilized for the young who are in danger of falling into evil ways? A. I think there is need for some institution of that kind.

Q. What would you recommend? A. I would recommend such an institution as that at Mimico.

Q. How would you manage it—would you group certain counties and cities and towns together? A. That would be the most economical way of doing, because some municipalities would not be in the position to support one, while the larger cities might. My own impression is that to group the counties would be the proper system.

Q. There were 77 young people of both sexes under 16 committed to the gaols in Hamilton, Brantford, Welland and St. Catharines; do you think that some system ought to be established in the nature of an industrial school with a population of from 50 to 150, or could something be done for these cases in the family relation? A. That is a subject that requires a considerable amount of thought; but I do not see any very great difficulty in doing that.

Q. Do you think that a farmer and his wife, who are known to be good people in every way, and who take a great interest in boys, would be the proper kind of people for this, if they were under the supervison of the municipal council, or some properly constituted authority. Do you think that would be a good way of treating boys who have not committed crime, but who are in danger of falling into it? A. I think it would be satisfactory, but it may be attended with a considerable amount of difficulty.

Hon. Mr. ANGLIN.

Q. Would it be difficult to get respectable farmers to take the children? A. I think it would be difficult to get proper persons to assume control. I think that besides the industrial habits that would have to be taught the boys, they would require to be educated.

JOHN A. MURPHY, gaoler, Cayuga, called and sworn.

Q. Tell the Commission what you would do if you had your own way of dealing with old offenders? A. If they were kept in some place under restraint where they could do work it would be better for themselves and society at large. I do not think there is a large chance of reforming the chronic drunkard.

Q Have you a poorhouse in your county? A. No; there is necessity for one. There was a movement in the county recently which I think may result in the erection of a poorhouse; at present each municipality maintains its own poor.

Q. Is there a sufficient number of poor and destitute to warrant you in establishing a poorhouse? A. I think that with association with another county there would be. If it were established I think it would relieve the gaol of a great many of the most trouble-some prisoners; those who are incapable of taking care of themselves would be placed in the poorhouse.

Q I see you had eighteen drunkards last year? A. Eighteen commitments, but not that number of persons.

Hon. Mr. DRURY.

Q. I suppose most of your prisoners are committed to hard labor? A. Yes, and we give them as hard as we have got, but we have not quite enough; that is the reason we are bringing in stone.

The CHAIRMAN.

Q. Now, with regard to your ordinary prisoners, could not one free able bodied man do as much work as four? A. No.

Q. So far as work is concerned, you think that it is better for discipline in the gaol and as a deterrent on the commission of crime? A. I do.

Q. Who provides you with stone? A. The county council, and the town of Cayuga uses it.

Q. What do they use it for? A. For making macadamised roads.

Q. There has been more or less discussion with respect to the Government taking over the common gaols of the province: do you think that would be a benefit to the community? A. I cannot see that any great benefit would attend that in addition to those already in existence.

Q. Have you any difficulty in getting what you ask for from the county? A. Very little.

Q If any extensive improvement were necessary in the building, do you think there would be any trouble in getting it? A. There might be some trouble.

Q. Do you think that the Government would not in scanning over the bills be as careful? A. Well, no.

Q Don't you think that the Government of Ontario is pretty economical? A. I do, but I think they are not so economical as the county councils.

Q What do you think is their chief cause of crime in the county of Haldimand? A. I think pure "cussedness" is the first cause.

Q What is pure "cussedness"? A I think bad associations, carelessness of parents, criminal neglect of parents in not sending children to school. I think that if you don't send children to school they form bad associations, and a loss of self respect soon follows, and that is one of the first causes of criminality, in other words, if you let a child have his own way.

Col. Robert H. Davis, Sheriff of Haldimand, called and sworn :—

The Chairman.

Q. When were you appointed? A. I was appointed to the shrievalty in October 1878.

Q. Do you think that the effects of bad association in your gaol through imperfect classification adds to the crop of criminals in the county? A. I do not think so; I do not think that the class that is liable to be affected by the associations that are made in the gaol, is numerous enough to add to the percentage of crime.

Q. Do you think that the association of the various classes in the gaols in the large cities is likely to have a worse effect than in the rural parts? A. I do.

Q. Have you many persons charged with serious offences committed to the Haldimand gaol? A. No, sir, our serious offences in Haldimand are very few; we have only had two serious charges in ten years.

Q. Then you don't think that the influences of association are productive of as much harm with you as in the cities? A. Not as where there is a large number of prisoners put together; the juvenile offenders are few in number that come into our custody, and we generally separate them more or less.

Mr. Jury.

Q. What views do you hold about drunk and disorderlies; are not a number of them capable of reclamation? A. A big majority of them are not confirmed drunkards; they get on the spree occasionally and are held up for a certain number of days; we have some that come to us at all periods of the year and who may be said to look upon the gaol as a kind of home, but drunkenness is not on the increase with us; vagrants and tramps constitute the great majority of the classes that come under our care.

Q. How do you account for the tramps getting into your county, which is one of the counties of the interior? A. Well, it is a railway centre, and the Grand Trunk and the Canadian Pacific have through lines and the tramps knowing that there is no poor house in the vicinity, and that there is a gaol, will strike for the town, and either ask to be committed to gaol or commit some offence for which they must be committed, in order to obtain food and shelter for a few days. These tramps or vagrants don't belong to our county; few of them belong to us at all.

Q. Could not the county of Haldimand and the town of Cayuga come to some agreement and devise some way of stamping out this trouble? A. They have tried this at different times, but nothing has come of it yet; means have not been found to employ them at breaking stone and labor of that kind.

Q. Do you think that the majority of these men are lazy and indolent; persons who desire to avoid work? A. I know a number of mechanics who are "broke," who have no home, and who are sent to gaol because there is no poor house; they appeal to the magistrate when they are destitute and he sends them for ten days to gaol.

Q. Then destitution is the cause of their commitment in many instances? A. It is.

Q. What is the nationality of those who you say come from a distance? A. They are nearly all foreigners.

Q. Would these people be proper subjects for a poorhouse? A. No; not that class, they are able to work.

Q. But suppose you provide a workhouse and poorhouse combined, don't you think that would be a better place than the gaol for tramps? A. I should think so, but if a poorhouse was known to be a place where dead-beats and tramps by profession and vagrants by profession were admitted, there would be no need for a gaol.

Q. But where you have an honest tramp, who is a tramp because he is in a state of destitution, what about the poorhouse? A. It would be only a temporary refuge.

Q. Well, of the two classes, those who are tramps by profession and those who are tramps by destitution, which is the greatest number? A. The professional tramp by long odds.

Q And your remedy for him is hard work? A. Yes, hard work and short commons.

Hon. Mr. DRURY.

Q. Do you remember when this tramp nuisance really came into existence, was it after the American war? A. I don't remember the beginning of it.

The CHAIRMAN.

Q. I see you had three persons committed for being of unsound mind during the year; were those all proper cases for asylum treatment? A. I think so; they were so reported and I make it a point always to see those persons myself.

Q. Do you of your own knowledge know that a considerable proportion of harmless persons get committed to gaol who are not proper subjects for an asylum? A. I believe there are such cases.

Q. And as regards these, does your experience lead you to believe that the gaol is not the proper place for them? A. Yes.

Q. Would a poorhouse be the better place for them? A. I think so. Many people have a great dread of those who are said to be mad: they get an opinion that such persons are dangerous, and they get them committed to gaol thinking to prevent themselves from being injured.

Q. Don't you find that many of these persons who are troublesome in the family are perfectly quiet the moment they get into gaol, and behave themselves when they are there? A. I think that in the majority of cases that is so. I know of a case now where a boy who became rapidly boisterous was brought as rapidly under control when he was committed to gaol.

Q. Has it not a bad effect upon gaol discipline to have lunatics in the gaol? A. I think so.

Q. In the event of a poorhouse being constructed could not a ward or place apart from the ordinary wards be provided for the mild cases of this class of people? A. It could. I think such a provision would be absolutely indispensable in an institution of that kind.

Q. Have you any means of imparting religious instruction to the prisoners in your gaol? A. We have, but it is not compulsory.

Q. How is it done? A. It is done by a notification to the prisoner that a clergyman has offered his services on his behalf.

Q. Have you a library? A. No, we have no regular library. I send books and periodicals for the prisoners, but we have no provision made for this kind of thing.

Q. Would it be possible to cultivate some land in the vicinity of the prison? A. I think it would.

Q. Could prisoners be employed at work of that kind? A. It would depend upon the character of the prisoner.

Q. Would stone-breaking be profitable? A. I think so, but that would have to be done outside.

Q. Have you not got room in the yard for it? A. No; we have only got room for the woodshed.

Q. Have you given much attention to the question of juvenile criminality? A. I have thought of it several times.

Q. Do you think that there is a necessity for the establishment of a reformatory or industrial school, or institution of that kind in the Province? A. Well, I would have to give a qualified answer to that. I think it would be in the interest of juveniles as well as of the public if there were such a place to put them for a time, but I think that the cure is nearer home. I think that the family is the proper place for discipline, and failing the family the public school.

Q. You think this might be done by rigid discipline? A. Not so much by rigid discipline as that the children should be well under the control of the teacher, and made to understand that they have certain duties and responsibilities as well as privileges.

Q. Do you hear of many cases of children going to the bad in your county, in the rural districts apart from the small towns? A. The farming community are singularly free from that.

Q. Do you think that in the villages or small towns the children are about as bad as in the cities? A. As bad or worse, because the youngsters are allowed to go about almost wild.

Q. Do you find this state of things is bringing many youths to bad courses in the villages and towns? A. Yes, that is my experience. The children of parents in a respectable neighborhood have been contaminated by what they call "smart young men" from the neighboring towns, and thus they have gone down. I think a great deal of this could be avoided by proper parental, family and school restraint. I think, too, there ought to be changes in the public school system. I would recommend that we do away with a good many of our "isms" and "ologies" and that the time spent in teaching that sort of stuff should be occupied in inculcating good manners and good morals. I think this would be better for the boys and for the country. I know where authorities have taken upon themselves to wipe out part of the scheduled subjects and give the youngsters some knowledge of the difference between truth and falsehood and things of that kind, the results have been more satisfactory.

Dr. Rosebrugh.

Q. Do you think it would be possible to take boys out of the street at night? A. Yes, if parents and guardians would do their duty. I think want of proper restraint does a great deal of mischief, and if children were kept out of the street they would be prevented from developing a tendency toward crime.

Q. Do you think that any system could be adopted where a boy who is perhaps a truant from school and has become unmanageable in the home, might be placed under more rigid control, and saved if possible from a life of crime without removing him to a reformatory? A. That is a wide question. I would not be prepared to give an answer to that question on the spot. It covers so much, so many different phases of the subject, besides the law protects the youngsters.

Q. Do you think that the present system of managing the county gaols is capable of improvement? A. I think there could have been better management in most gaols if you could have got the county council to take the matter up and make a separation between different classes, especially in respect of those who are temporarily insane.

Hon. Mr. Drury.

Q. Is the county council pretty liberal? A. They do everything that they are bound to do and nothing more. If they could see a loop-hole to get out of any expenditure they are like all the rest of the councils, they would be very prompt to take advantage of it.

THOMAS W. BUTLER, Gaoler, Simcoe, called and sworn :—

The CHAIRMAN.

Q. When where you appointed gaoler? A. In April, 1879.

Q. It has been represented by some that it would be better if the gaols were directly under the control of the Government instead of being partly under the Government and partly under the county council. What are your views on that subject? A. I should think one control would be better than divided authority.

Q. Would you express your opinion as to what you think would be the best system of management? A. I do not care about expressing any opinion on that.

Q. Do you get pretty much all you want from the council? A. Well, we wanted to get drainage for a number of years but we have not been able to get it yet.

Q. Could you not do that by prison labour? A. Well, it would have to go right through the town.

Q. How do you get rid of the night soil? A. We have a large cesspool and dry-earth closets, and the contents of these are pumped out and taken to the experimental farm.

Q. How does that work? A. It works very well. We have no difficulty in carrying out the dry-earth system.

Q. Do you find this satisfactory in the winter time? A. It is quite a trouble to clear the boxes out in the winter certainly, but we have not experienced any very great inconvenience.

Dr. ROSEBRUGH.

Q. What number of boys under 16 were committed to your gaol last year? A. Fourteen.

Q. What was the character of these boys under 16—generally bad? A. No, sir. I do not think there was anything very bad except in two or three instances. They were all, so far as I know, first offenders. Most of them were from the city, two of them I recollect—the two worst—were sentenced for stealing rides from Buffalo on the Michigan Central Railway. The remainder were sent for minor charges; one was a waif who was sent to the Industrial School at Mimico. Some were for trespass.

Q. Do you think any of these boys should have been sent to the common gaol at all? A. No. I do not think that is a good place to send boys. I know the other day a boy was taken away from his home and sent to the common gaol and then sent to the reformatory, and I do not think that he ought to have been sent to the gaol at all.

Q. This matter of stealing rides on the railway, is it of frequent occurrence? A. Oh, yes.

Q. Well, does this severe method of punishing boys deter others? A. Yes, I think so.

Q. How long are they sentenced generally for these offences? A. Sometimes ten days, sometimes two months.

Q. Do you think that a whipping for such boys would be better than imprisonment? A. I think it would be much better than sending them to gaol. I have noticed boys who have been sent to gaol for such offences, and when they went out they were worse than when they came in.

Q. What would you think of grouping certain counties and towns together in order to have a school like that at Mimico for boys such as the fourteen that passed through your gaol? Would it be feasible? A. I think so. I would recommend that course instead of the common gaol.

Q. Do you think that sending boys to gaol does some of them harm? A. Yes.

Q. Do you think that to get them cared for on the family principle, say on a farm, would be preferable to sending them to an industrial school? A. I think the difficulty would be in keeping hold of them in that case.

Q. I wonder whether the law of kindness would step in there. Are these boys as a rule radically bad? A. No, I do not think that they are radically bad as a rule; they are wild and reckless sometimes and full of mischief.

Q. What in your opinion is the most fruitful source of crime in the County of Norfolk? A. I should say idleness and laziness. People who are lazy often drift into crime.

Q. What would you recommend to overcome that? A. I should think that men who are habitual prisoners had better be kept at pretty hard work.

Mr. Jury.

Q. Do you think these men are constitutionally idle, or do you think that they have contracted habits of idleness through scarcity of employment? A. Sometimes they may have done so.

Q. At what period of the year do these men generally get into gaol? A. In the fall.

Q. Do you think that they would work if they could get employment? A. I think some of them would. Employment is very irregular, especially in a country place. Sometimes men go into gaol in the winter who work in canals in the summer time.

Dr. Rosebrugh.

Q. Do you find many school children who attend school irregularly falling into crime? A. Sometimes we do.

Q. Do you think it would be a good thing to have compulsory school laws passed? A. Yes, I think it would be a good thing.

Alfred Kitchen, gaoler, Brantford, called and sworn.

The Chairman.

Q. When were you appointed to your position? A. In 1885.

Q. What was your previous occupation? A. A farmer.

Q. Had you any experience in gaol matters before you were appointed? Were you in the council? A. I had no great experience of gaol matters, but I had been in the council quite a while. I saw a good deal of the proceedings.

Q. Have you a poorhouse in your county? A. Yes, near Brantford, across the river. It was established two years ago. There are 26 inmates in it at the present time.

Q. Did the establishment of the poorhouse improve matters so far as the gaol is concerned? A. No. A large number of those who are in the poor-house were never in gaol. They were kept by the municipality until the poorhouse was opened. There were a few there but very few who have been in gaol.

Q. What proportion of the 218 commitments for drunkenness were hardened offenders or chronic drunkards? A. There is not a very large number really hardened. There are a great many, it is true, for whom there seems to be no salvation, but taking the 218 there are a large number of them that are not so bad. There are a great many in for the first time and some the second time.

Q. How are they apprehended? A. We have got a sharp lot of policemen at Brantford. There are a great many farmers who get on a toot, spend all their money, and these policemen run them in and they are sent to gaol for 20 or 30 days in default of paying their fines. Some of them feel very keenly being sent to gaol. There is too much of this sort of thing in Brantford; in fact, we have had persons sent to gaol, wealthy farmers, well-to-do men, who, simply getting on the spree, spent their money and could not pay the fine imposed until they got home again.

Q. I suppose it is even-handed justice. There is no reason why a wealthy farmer should not be sent to gaol if a poor man is sent. Can you suggest any way of dealing with them? A. No. No other way has been attempted. I have no doubt many of them would pay their fines if they were allowed to go home. There is no necessity for sending them to gaol at all.

Q. Do you think prisoners could be put to work outside the gaol? A. I think they might.

Q. Would there be any difficulty in providing more yard accommodation? A. Yes. They would not want to spoil any more ground.

Q. When you speak of employing prisoners outside the gaol, do you mean those convicted for the first time. Would you have those sent out? A. I think so. To put them at work on the public roads I think that would cure them if anything would.

Mr. Jury.

Q. Don't you think it would be unfair to the prisoners to put them on this work, especially those convicted for the first time? A. Perhaps it would be worse than the present system for those convicted for the first time. I have not thought much about that however. My opinion is that if they were dealt with more severely and kept at hard work it would be a good thing for them.

Q. The question might be whether it would not be too severe for the men sent to work outside, where they would be seen by everybody, which would make the degradation tenfold? A. Probably it would.

The Chairman.

Q. What was the effect on those sent to the Central Prison last year? A. Very little. I think every one of them has come back since. They have been sent for short periods; one man was sent down for getting on the spree. They gave him four months, and he came out and the first day he was out of prison he got drunk again and was sent back to gaol.

Q. Are men of that class of much benefit to their families? A. Well those who have been sent down like that are not much use in keeping their families. Some of them are a charge on their families. Their wives will go out and work and get a few shillings and the husbands will take the money from them and spend it.

Q. Do you think that of the sixteen boys committed last year some should not have been sent to gaol at all? A. Yes, there was quite a number. There were two boys sent to gaol who had been playing near an apple tree: The apple tree had fallen over; they plucked the apples; a policeman caught them doing this and arrested them. They were sent to gaol, for a day or two but they got a few witnesses to give evidence on their behalf and they were discharged.

Q. As to the management of your gaol, have you much difficulty in getting what you want from the county council? A. It takes quite a time to get what we want, and sometimes we never get it. The county council is very economical about prisoners, and we have great difficulty indeed in getting anything from them. They think that anything is good enough for prisoners. That is the way a great many of them talk.

Mr. Jury.

Q. I see from 1887 to 1889 there was an increase of 33 per cent in the commitments to your gaol. Have you any theory to account for this increase? A. I understand that it is accounted for by the increase of population,

Q. Does the increase of population keep pace with the increase of prisoners? A. Yes, I think the proportion is about the same.

Q. But the increase mainly takes place in the drunkards and vagrants, and those who commit larcenies? A. I think there are about equal proportions in all classes, but I never looked through them for the purpose of ascertaining that. I attribute the increase, too, partly to the greater vigilance of the police, and partly to the water works and railways. I think vagrancy has increased.

Q. Do you think that this is due to want of employment? A. No. I think it is due to the men's worthlessness.

Hon. Mr. Drury.

Q. Do the police arrest men for drunkenness if they are only slightly the worse for drink and are capable of going home quietly? A. Yes.

Q. Are they paid by fees? A. No they are paid by salaries.

Hon. Mr. Anglin.

Q. Is any provision made for religious instruction at your gaol? A. Yes. Just now we have a number of young ladies of the Christian Temperance Union taking an interest in the gaol. They have employed a lady to visit the gaol.

Q. Do clergymen visit the gaol? A. No. Never during the five years I have been there has a resident clergyman visited the prison.

Q. Have you asked them? A. I have said plainly that I have never had a visit from them.

Q. Do boys get any moral instruction apart from what they receive from this lady visitor? A. No.

Edmund Deedes, Sheriff, County of Norfolk, called and sworn.

The Chirman.

Q. When were you appointed Sheriff? A. In 1859.

Q. Have you noticed the effect of bad classification upon prisoners? A. It has a very bad effect.

Q. Chiefly upon what class? A. Well I should say mostly upon the lower class.

Q. Do you think that the association of boys with adult prisoners, hardened in crime, has very bad results? A. I think it has. There is one thing I was very anxious to bring before the Commission, and that is, the fact of our prisoners being able to hear everything that is going on in the corridor. It is perfectly true that we can classify our prisoners, but these boys cannot help hearing all that is going on around them.

Q. Even with the limited number of prisoners that you have had in the gaol lately, you have found much difficulty in having a proper separation? A. Yes.

Q. What would you have done if you had not had the poorhouse? A. We could not have got on at all. We would have been troubled with the tramps and people in destitute circumstances, and we could not have managed the gaol at all. Even as it is we have to use the lock-ups for this class. We have two or three lock-ups and I put them in there and don't give them anything to eat until morning. I find that is a very effective way of dealing with them.

Dr. Rosebrugh.

Q. I suppose you would be in favor of the Government assuming the entire control of the county gaols? A. I certainly would.

The Chairman.

Q. Have you given the question of the treatment of drunkards in the common gaols much consideration. Do you think gaol custody has a salutary effect upon them? A. I am afraid it has not. I have known some instances where it has, but generally speaking, it has not.

Q. What class of men are committed for this offence? A. Well, fortunately we have been very rarely troubled with them. A temperance wave has passed over the county and that has struck some of them.

Q. I see you had only 17 out of 108 committed for drunkenness. That is only about 18 per cent. instead of 45 per cent. in Brantford, and about 50 per cent. in Hamilton. Do you attribute this to temperance work in your district? A. I think the temperance movement has had a good deal of effect. I think the Salvation Army has done much good. There was a class of mechanics that we had—the cleverest mechanics in the town, who at one time were very heavy drinkers, but they have been redeemed by the Salvation Army.

Dr. Rosebrugh.

Q. How long have they been reformed? A. Six or eight years. They have been keeping right for a long time.

Q. Do you think that prohibition would be a good thing as regards these men and others? A. I think not. My impression is that they are doing so well that to try and do anything more with them is unnecessary.

Q. Do you think prohibition would be of service to the boys? A. Yes; I think it would. There are a good many people now who take it up.

Hon. Mr. Anglin.

Q. Have you during your long experience and observation any reason for coming to the conclusion that the imprisonment of a certain class of drunkards, although it is not a benefit to themselves, has a beneficial effect in deterring others from entering on the same course? A. I think so. I think there is very much less drinking now than there used to be. That is my experience.

Q. Or, at all events, drink is taken in another way. The official returns show the consumption to be pretty much the same? A. Yes.

The Chairman.

Q. What in your opinion is the chief cause of crime in the Province? A. I think drink. A larger number of criminals enter upon criminal course through that than any other cause.

Q. Has the want of proper care and supervision of boys and girls a bad effect. Does it tend to increase crime? A. Yes; I think it is apt to increase it a good deal. Young people don't seem to care about adults to the same extent that they did before. Young people are too fond of kicking over the traces, too fond of shaking off parental control. I have noticed young boys going into the apple orchards and helping themselves; they think they are doing no harm in taking away the fruit. They rarely think anything of actually stripping a garden of everything. The parents don't seem to have the same control over them that they used to have.

Q. Is there any suggestion that you can make to remedy that? A. I do not know I think the suggestion ought to come from the parents.

Q. Have you any association in your town for looking after discharged prisoners? A. No; and we have every denomination of clergymen in the place, but none of them attend the gaol. Some years ago the young people got up a Young Men's Christian Association, and the members attended regularly on Sundays. We had then five or six good looking lasses committed to gaol, but as soon as they went away the members of the Christian Assotiation ceased to attend and they never came again.

Joseph R. Mead, called and sworn.

The Chairman.

Q. What is your occupation? A. I am an insurance and real estate broker in the city of Hamilton.

Q. Have you taken an interest in any matters appertaining to prisons and prisoners? A. I am a member of the prison committee.

Q. Will you give us your experience in connection with prisons! A. Being a member of this committee I thought it my duty to visit different gaols and places of detention, as opportunity offered, in order that I might see that the reforms asked for in connection with our gaols were really needed, and to see if there were not some little ideas of my own that I might be able to suggest.

Q. Have you visited many gaols? A. This is the second year I have been on the committee and during that time I have had the opportunity of visiting the gaol twice or three times.

Q. Have you visited any outside the city? A. Of course I think the gaol here is managed very well. I think Mr. Ogilvie is a very fine governor of the gaol, but there is no doubt there is a great deal of reformation required. I think all the reforms asked for are needed. From the observation I have been able to make I think the great sources of crime are intemperance and idleness, and that intemperance is a disease, and as a disease I think it can be treated successfully just as other diseases are.

Q. Which of these causes would you place first, intemperance or idleness? A. I think intemperance. If a man is married and giving way to drunkenness it is a hard thing for a wife when she has to maintain herself and a drunken husband. I think there should be some means adopted by which the government could take hold of a man and insist upon his labouring to support his wife and family, whether he is sent to a gaol or to an inebriate asylum. Make him labour hard and pay him for his labour, and see that he does a good honest day's work. After deducting a portion of his wages for his maintenance hand over the remainder for the support of his family.

Hon. Mr. Drury.

Q. That would require considerable space of ground, and the turnkeys would be numerous, and question of the expense of carrying on labour in this way would be very important indeed? A. I do not know about the details but I do not see why the government should not make men of this class do some kind of labour that would not degrade them. I don't mean hardened criminals. I think they might be kept at the worst kind of labour inside the prison walls. They work them up at the gaol here and no doubt that is a good deal of benefit to the community, although I do not think that they have as much work as they ought to have.

Hon. ARCH. McKELLAR, Sheriff of Wentworth, called and sworn.

The CHAIRMAN.

Q. How long have you been sheriff? A. Since the 1st of August, 1875.

Q. You have an intimate knowledge of gaol matters? A. Oh, yes; I have a good knowledge of them, although I have been very fortunate in having excellent gaolers which makes my work in connection with them very light.

Q. What are your views in respect to the classification of prisoners in the common gaol? A. Want of classification has a bad effect.

Q. Do you think it is a great means of spreading crime and making criminals? A. Well, I think upon young people who are not yet experienced in crime, and who are thrown into contact with a lot of bad criminals, it must have a bad effect.

Q. Have instances of its evil effects come under your notice? A. Not particularly because our gaoler always classifies our prisoners as far as he has accommodation. Of course very bad people like to make others as bad as themselves, and young people are more susceptible of bad impressions than people who have reached years of discretion.

Q. Has the establishment of the Central Prison enabled you to improve the discipline and classification of your prisoners? A. I think so.

Q. Has it taken away the worst class of prisoners? A. Oh, yes, it has.

Q. Then do you know of your own knowledge that your gaoler has made as good a classification of the remaining prisoners as it is possible to make? A. That is my impression, so far as I know. You knew Mr. Henry, our late gaoler, Mr. Langmuir. (The Chairman "Yes, he was a capital man.") Well, this is as good a man.

Q. Do you think that the establishment of a poorhouse or a poorhouse and workhouse combined would enable you to make a still better classification of the prisoners? A. Certainly it would. I think it is most desirable that there should be a poor house in every county, or every two counties at least. Many people are sent down to gaol that are proper subjects for a poorhouse and not for a criminal institution.

Q. Has any attempt been made to establish a poorhouse in Wentworth? A. Well, they made an attempt last year; the county appointed a committee, the committee went round to make a valuation of property, but they have done nothing since.

Q. Do you consider that the occupation of breaking stones that you are carrying on now is a good one for prisoners? A. Well, I do not know. It is the only occupation that we have to give them. I believe it is healthy work; I do not think they could be employed at anything healthier.

Q. Is there any other kind of work that you would suggest for prisoners? A. No. Not about the gaol, and I do not think it would be convenient to take them outside.

Q. I see that about half of your prisoners were committed for drunkenness? A. Oh, yes, that is the besetting sin. It is the greatest trouble that we have. I think it is our greatest source of criminals.

Mr. JURY.

Q. Intemperance is not the sole cause? A. No, but much of it arises from intemperance; we have had them sent to the Central Prison, but they return again.

The CHAIRMAN.

Q. Do you think there is any remedy for the constant recommittal of this class; can anything be done to diminish their number? A. It is a great difficulty when a man or woman becomes intemperate to find a remedy. Probably an asylum would be the best place for them.

Q. Would long periods of confinement in the Central Prison not be as good as an asylum for some of them? A. I think it would. Of course it would have the tendency to destroy an appetite for drink.

Q. If a man were committed three times for drunkenness, would you conclude that he was an incorrigible drunkard? A. I should think so, particularly if he were three times in succession within short periods.

Q. Would it be a greater degradation to such a man after that to send him down to the Central Prison for a longer period? A. I think so. I have seen men repeatedly sent to gaol, but the treatment has only suspended their appetite for a short period. We have an institution here called a Rescue Home, where people are taken after they leave gaol and sometimes men who are inclined to get on the spree, but who are not absolute drunkards are admitted there. There they can remain until they get work. I know several cases where men were lodged there and they did very well afterwards.

Q. Do you think that the great proportion of them are disposed to work, or would they rather be idle? A. It is hard to say. I think they are more disposed to drink.

Q. I see you have had quite a number of vagrants as well as drunkards in your gaol Are most of the vagrants drunkards? A. Yes, most of them are.

Q. You had nearly 60 boys under 16 years of age last year. What do you think should be done with them? A. I think they should be kept separate from the men altogether.

Q. Are there not a considerable number of that class who should never go into a gaol at all. Here is a report from specialists saying that boys under 16 years of age with a natural tendency towards crime should be sent either to a reformatory or to an industrial school direct; that the trial of such boys should not take place in an open police court, nor should they be sent to the county gaol. What are your views upon these points? A. I endorse them. I think it would be better than the present system.

Q. You think that they would have a better chance of reformation if they were not sent to the gaol at all? A. I think so. Send them to Penetanguishene.

Q. Do you think that the Penetanguishene Reformatory fills the bill as regards these boys, or would an industrial school system be better? A. So far as I am able to judge, I think it does good work. It is a long time since I was there. I think, however, it does very well.

Q. What I mean is this. Take boys who are neglected by their parents; who are allowed to run about the streets at night; who are in danger of becoming young criminals if they are not looked after. What would be the best treatment for boys of this description? A. Well, I know some boys here who are running about and the parents went to the magistrate and asked that they should be sent to some institution, because they could do nothing with them; I think an industrial school established in each county or group of counties, where these boys could be taught trades, and kept away from evil associations, would be desirable.

Q. Could these boys be distributed in the country after they have acquired trades? A. I think it would be a great improvement to have them go to such an institution for a few years to learn a trade, and if they are any good at it they should be able to make a living when they come out.

Q. What in your opinion is the chief cause of crime and vice? A. Well, intemperance of course is the chief cause, and want of education. You can hardly excuse any man in this country who won't educate his children, but I find on looking over the records that many prisoners are very illiterate. I think illiteracy, intemperance and crime to a large extent go hand in hand.

Q. Do you think parental neglect and the neglect of those having the care of children is a cause of crime? A. Yes, if parents won't attend to their children; but if the parents, either one or both, are addicted to drinking themselves, what can you expect from the children.

Hon. Mr. DRURY.

Q. You know one of the propositions recently made is that the county gaols should not be used as places of punishment for prisoners serving sentence; that they should only be used for detaining prisoners pending trial. Do you think this practicable? A. Well, if prisoners were only sentenced for a short time it would not be worth while to take them to the Central Prison or any other institution at a distance. Taking the large number of cases where short sentences are imposed in default of payment of fines, sentences of ten days or fifteen days for the infringement of municipal by-laws or such things, it would be inconvenient and an unnecessary expense to send them to such institutions.

Q. You don't think that it is practicable that the county gaol should not be used for the detention of those committed for short sentences? A. They must be confined somewhere and it would be useless to take them away.

Mr. JURY.

Q. You say that teaching boys a trade would materially decrease crime. I see from statistics that the total number of prisoners convicted was 12,531; of that number 5,308 were laborers, that is, persons of no skilled occupation, and 539 were of no occupation. It would appear from this that a very large number of prisoners were of the classes who had trades, but this fact did not prevent them from falling into crime. In many cases is it not lack of employment that gets these men into trouble, and is there not often lack of employment even for the skilled classes of workmen? A. Well. I know an instance of a man who was sober and industrious who could not find employment in Hamilton, and walked to London seeking work, and being unable to find it walked back again; then he became so depressed that he committed suicide rather than appear as a pauper; he thought he would let nobody know his condition and he took his life.

The CHAIRMAN.

Q. Have you any suggestions of your own to make to the Commission regarding the objects of their enquiries? A. I saw a suggestion the other day about letting gaolers have the power of appointing their own assistants. I know that some sheriffs are very cranky and give a great deal of trouble, and you can easily understand that there might be some difficulty respecting the officers they might appoint. I think when you put a man in the position of gaoler, it would be far better to allow him to have the entire appointment of his own officers, subject say to the approval of the Inspector, because he is interested in having proper people there as much as the gaoler is. I think it gives a degree of authority to the gaoler that he does not possess if the sheriff makes the appointment. I have never appointed a subordinate officer to the gaol since I came here.

11th July, 1890.

Mrs. ELIZABETH BRADLEY, London, Eng., called and sworn :—

The CHAIRMAN.

Q. We understand that you have had considerable experience Mrs. Bradley in rescuing young people who are in danger of falling into crime? A. Yes. My public work has been mostly done in London, but my home at present is in Birmingham.

Q. How long have you been engaged in this work? A. About four years.

Q. What objects have you in view? A. The special object of my own proper work is to get at mothers and women generally; to try to induce them to prevent the production of evil. The work is social purity and it covers an immense field, but my own

special work is to endeavor to get at the mothers and Sunday school teachers and day school teachers, and all who are seeking to do with children, and to study the beginnings of evil, both morally and physically, and one great subject that came into my work before I took this up in connection with my temperance labors, was the question of heredity with regard to the production of criminals and vicious persons of both sexes.

Q. It was with a hope that you might be able to give us some information in regard to this work that the Commission invited you to come here to day. You aim to strike at the root of evil, and the Commission would very much like to know your views upon certain points. For instance, with regard to the subject you say you are making a specialty of—social purity—have you formed any views as to the best method of treating fallen women? A. I must confess that it was the comparative hopelessness of any complete restoration of this class—of course I would not like to discourage friends who are engaged in what might be called rescue work, but from my previous study of this question along temperance lines, and having regard to the far-reaching use of alcohol, the degenerating effect of it upon the brain power, the nerve and the will power, which give ready material for the formation of criminals of various kinds; having learned all this by engaging in rescue work, I could not but be impressed with the impossibility of restoring girls or women to their proper position once they have given way to its influence. They may be restored in a sense. I am christian enough to believe that God may forgive the sinner, but I am philosopher enough to know that we cannot take the evil influences out of the body—it was this that turned me to the other side of the question. I don't consider mine rescue work, but that and rescue work go together. My own conviction is that if we could do away with alcohol we should prevent a vast amount of physical disease, moral disease and crime. Another thing I would like to call attention to is the use of tobacco. My own conviction is that the use of tobacco has a terribly demoralising effect, far more so than is generally understood. My attention was called to this through a remarkable case. Some young ladies were engaged in rescuing the daughters of professional men, and there was one particularly painful case came under their attention, the daughter of a clergyman that was in connection with our work in London. There seemed here to be such a strain, such a positive tendency to vice that we thought there was some other cause than the apparent temptation to which she was subjected. On enquiry we found that there had been great degeneracy in her ancestry. Her father and grandfather had been inveterate smokers, although not drinkers. We set physicians to study this. My own conviction is that girls and boys who have come from stock of this kind have a predilection to sensual vice. They are weak in that direction, and the result is a terrible increase of vice of this kind.

Q. Do you hold the belief that where sensual vice is combined with drunkenness it is almost impossible to effect reclamation? A. Yes. I would dread association with such persons. I would put them where they would be prevented from contaminating others. I do not think it is possible to reclaim those who are addicted to drunkenness and sensuality. One point that was brought before the prison commissioners that I think would be applicable to this commission, is the question of short sentences. Rev. J. W. Horsley, secretary of the National Vigilance Association, complained of that terribly; he constantly saw men and women committed to prison as drunk and disorderly persons, sent for two weeks, and that would be long enough to enable them to get over the effects of the drunkenness for which they were committed, but a terrible craving would be then just arriving, and upon the expiry of their sentence they would get drunk again and sometimes be sent back within a week. That would be repeated over and over again. There is one typical case of a woman that I recollect who was committed 180 times for being drunk, and yet she was never known to steal anything. Mr. Horsley holds that if for the first or second offences a longer term of imprisonment were inflicted men or women would have a better chance of getting over the physical effects of their drunkenness, and of being made permanently sober. It is not in any sense reformatory to have these people sentenced for short periods to gaol.

Q. We have been considering that phase of the subject in Canada, and the foolish system of short sentences in such cases has very frequently been brought to the attention

of the authorities, both judicial and executive. Have you any suggestions to make? A. My own conviction is that there is no cure for habitual drunkenness. If you put the drunkards in an inebriate asylum that would be at the expense of the state, then you make the sentences indeterminate and the evidence would not be trustworthy evidence as to when the prisoner might be safely granted his release. In order to make the decision just you would have to get from specialists their opinions, and their tendency is to bring theory too much into their judgment; one perhaps would be cured in three months, another in six months, and some would have to be treated as lunatics in a certain sense. moral lunatics, for a long period before they could be sent out again.

Q. Is it your opinion that habitual drunkards should be sent to a prison or reformatory, or some institution specially provided for indefinite periods? A. I would say so indeed.

Q Then you would make their discharge contingent upon what? A. That should be the evidence of the specialists who have charge of these persons. There are doctors who understand this. There are so many elements to be taken into account in each individual case that I would not speak of any definite time. The proof of cure should depend upon the circumstances and opinion of those in charge.

Q. Would you examine into their moral condition as well as their physical condition before discharging them? A. I would, decidedly.

Q. How are you to do that? A. Well, it is not easy to say. I know this, that we have many cases in England of reformed men and women who have been helped over that dreadful time until their physical powers are restored; until they are able to conquer this physical disease. The only real power over this is an actual change of heart. We know that with conversion there comes a moral change. I would not give a button, not a straw, for any professions they may make without this, because the drunkard in this respect—I want to give you the general rule which I know is true—the drunkard—the drunken woman—for I find that she is worse than the drunken man in this particular, that the drunken woman is invariably a liar. A drunken man will confess that he is a drinker, he will go *and* get drunk again and he won't tell a lie about it, but the drunken woman is invariably a liar. I have tried to help them; I have even had them in my own house to endeavor to reclaim them. This is the element that makes dealing with women particularly difficult. My experience has taught me that the case of fallen women, if in addition to being prostitutes they take to drinking, is practically hopeless. I would not like to say that such a woman cannot absolutely be cured, but I am not the person to be sent to help to cure her, because I have not faith enough. I might refer to other cases. You have read that little book on the Jukes family.

Q. Yes, we have had evidence before us in regard to heredity in the production of crime. Are you strongly of opinion from your experience and observation that such is the case? A. I am positive of it.

Q. In what grooves does heredity run chiefly? A. I will just give you three different grooves, but they don't by any means include all; although they are the chief ones. We will take the children of a confirmed habitual drunkard—a man who is always soaking himself; the children of that man will very largely be influenced by the mother. There are cases where a woman who has married such a man is good and chaste and pure, and she has a large neutralizing power morally and physically; but if the woman is of a low type, is low herself, as well as her husband the children will be deficient mentally to start with; they will all have a special predilection to sexual vice of a low form. Many of them, perhaps the majority, will become habitual drunkards, and the next generation will be more physically degraded still. There will be a tendency to disease; such diseases any doctor will tell you about but I would not care to enumerate them. These again tend to reproduce abnormal physical conditions of degeneracy; a large number are bred in crime and I may honestly say that they are criminals before they are born. What can be done with the children but take them away from the parents, and even then you cannot get rid

of the results. We have had great benefit—many good results from the power given to us a year ago in London—to take away the children of known prostitutes, the children of persons who keep brothels or houses of sin, and place them where they will be properly cared for at the expense of the parents or of the State—power compelling the parents to pay something towards their maintenance, the view being that the children might be saved from the effects of their natural environments and from falling into the vicious courses of their parents.

Q. The object being to remove them from the associations by which they were surrounded? A. Exactly, to give us an opportunity to reclaim them; this clause was introduced into the Industrial Schools Act. There was a great deal of opposition to it on the ground that it interfered with the liberty of the subject, but I have no sympathy with that sort of argument. I don't believe in people having the power to spread smallpox and leprosy, or any disease of that description broadcast; nor do I think that they should have the power to perpetuate moral disease. One of our moral reformers came to me and asked me whether I thought it was not a cruel law. He asked me what right we had to take the children away from the parents. I replied that the first right the parents had forfeited by neglecting to teach their children the moral precept of leading pure and chaste lives.

Q. Have you noticed any considerable number of the class you speak of here in Canada? A. I have seen a good many, not so many here as in the States, and there is a very strong feeling about them in the States. I have had many communications from those engaged in work similar to mine. We feel that there is an epidemic of immorality sweeping over Canada as well as other countries. I can see evidence of a rabid state of immorality, in many respects where one would least expect to find it. The matron of the Mercer reformatory and the Haven in Toronto and the matron for the Home for the Friendless in Hamilton would be able to give very valuable evidence upon this matter. The matron of the Haven is a very excellent woman with sound common sense as well. A good many of our reformers seem to have a very feeble idea of the value of practical common sense in their work. There is so much mere sentiment mixed up with it.

Q To sum up what you say I gather that you have no great faith in the reclamation of drunken women and drunken men who are continually drifting into gaol? A. That is so

Q. And that you have just as little, and perhaps less, faith in the reclamation of prostitutes who are also addicted to habits of drunkenness? A. That is so.

Q. But you cannot recommend to us as the result of your experience a remedy for this state of things? A. No. If I believed in a remedy I would not have taken up the work done. My real work is to prevent this disease and crime.

Q. I am afraid you have a tremendous task before you, especially where heredity governs? A. It is a great task.

Hon. Mr. Drury.

Q. You speak of inebriate asylums as a means of reclaiming drunkards. Do you know of cases that have been treated in such institutions? A. Yes. I have known them, but the law requires for the protection of individual rights so many conditions that we have difficulty in getting people that have means to support themselves into such places. We have no power to send to any asylum unless persons voluntarily and of their own accord go there. Persons cannot be compelled to go in.

Q. Don't you think that if they won't voluntarily submit there should be some sort of judicial enquiry, and then as to whether a person should be removed from an inebriate asylum, ought that also not to be a subject of enquiry? A. I would think so. I should say that those who are sent there ought to remain; at any rate until the authorities say they are fit to be sent out again. This is a kind of disease. I would not like to call it lunacy, but it is something of the same kind.

Q. You think it is a subject that should be regarded from a medical standpoint and treated as a disease? A. Precisely. It is a physical and moral disease; physically it is the essence of brain poison, and it affects the blood in such an insidious way that the difficulty is to know whether people who are victims of it are permanently cured.

The Chairman.

Q. We have to deal with the very lowest grade of drunkards who are sent to gaol; is it necessary for this class to have an inebriate asylum, or would some place of refuge, house of industry, or institution, where plenty of work is carried on, be as effective? A. A great deal better; work is one of the most effective ways of curing them; every one of these institutions has been a failure so far. I have visited a dozen in the old country, and I have found no work going on in any of them; I have visited Blackwell, where the very classes that you speak of, instead of being at work were kicking their heels in absolute idleness; then coming to other places, where farmers, professional men, and others, clever men sometimes, are being treated, they are all kept in idleness, and that is even worse in some respects than if they were not treated at all. Such places must fail if they do not give employment; you want to divert the persons' minds from this craving, and keep their attention fully occupied. I cannot understand how managers could have made such an egregious blunder as to start institutions without this requisite. We find that with some, occupation in itself has a very good effect; keep their hands employed and keep their minds occupied; if the mind is left at liberty, there is usually a whole crop of troubles springing up. The tendency to secret vice will also be multiplied indefinitely; thus making the cases almost positively incurable.

Q. Even in the asylums for the insane in the United States, the great trouble is the want of work? A. Work is the great element in respect for cure, but for some reason or other the medical superintendents of the asylums of the insane tell me that they can't put people at work, and they cannot keep them at work. I think they don't want to get them at work, and there is just the same thing flowing through the inebriate asylum where the better classes are. The only establishments for the inebriates are such as Blackwell's institution; they are numerous for gentlemen who can pay from $15 to $20 a week, but we have not found a single establishment for the treatment of the lower classes; I mean by the lower classes those who are not able to pay; we have not succeeded in getting one for them.

Dr. Rosebrugh.

Q. Can you give us the length of time that these persons who are cured have been confined in an asylum? A. One case I have in mind now: Treatment had to be carried on nearly two years: that was the case of a lady who was in first for three months, then there was an outbreak; the fault lay with her doctor, who did not know, and recommended her brandy for her illness; but as far as I can recollect now she is permanently cured. In all cases it is absolutely necessary to treat the reformed drunkard like a barrel of gunpowder. It is perfectly safe as long as it is shut up, but the moment you put the spark to it there will be an explosion, and I would not pretend to say what the consequences would be.

The Chairman.

Q. Have you observed in England or wherever you have been working, the effect of associating a great number of children together under one roof, whether an industrial home, refuge, or reformatory? A. Yes: the results are always bad; the massing of bad boys or girls is always a source of danger; perhaps the most hopeless of our population are children brought up in the workhouse, the unnatural conditions under which they are brought up. When they are mere babies—boys and girls—they are separated, and they only see each other through bars; there is nothing like family life amongst them; there is no possible semblance of family life, and the consequence is that both boys and girls come out of these places, if not helplessly imbecile, absolutely deficient in moral strength.

Poor girls who come out of these institutions fall down like nine pins ; such girls fall almost as soon as they get out. A trifling present, or even a few kind words by a designing scamp will get them away from the paths of virtue, and they are landed in the ranks of prostitutes.

Q. Is that generally the case? A. In every case I have known ; it is universal I believe.

Q. Have you had any experience in treating this class of children on the family principle? A. We have tried that system of boarding houses in England, and I really cannot tell you why it has been discontinued. The boarding out system was tried for several years in Birmingham on a sound rational plan. There were a number of industrious respectable people who willingly took these children.

Q. Under what supervision? A. Well, supposing a girl was boarded out with a family, five shillings a week was allowed to the people who took charge of her. This lasted until the age of fourteen was reached. It is not work in which I was engaged personally at all ; children were treated as if they were members of the family in which they were placed ; they were sent to school with the other children, and in fact, they were surrounded with all the elements of a home life. As far as possible care was taken that the children should be sent only to people of good character. In the case of a girl she was expected to assist in the usual duties of the household, and the mother was expected to teach her ordinary household duties, such as cooking, or anything of that kind ; and every week one of the ladies in connection with the guardians of the poor had to look in on these families to see that everything was going on all right ; to ascertain whether the children were properly clothed and attended to. Each of these ladies had a certain number of the boys and girls to look after. I never knew why this system was discontinued. It seemed to me one of the most beneficent arrangements that the law could make. In the workhouses in England, the average cost of each child is 7s. 6d. per week ; that includes clothing and food, and they put out these children at five shillings a week, and thus save half a crown. There are always numbers of people willing enough to take the children.

Q. Is this confined to little girls, or did it extend to boys as well? A. Boys and girls.

Q. Were they sent into the rural parts or placed in villages and towns? A. They were placed in the rural districts round Birmingham.

Q. Do you think the system could be applied in cities or only in the towns and villages? A. I cannot tell. I have the greatest dread of what I call street education.

Hon. Mr. Drury.

Q. Do you think that as a rule farm life would be the best for these young people in this country? A. There are cases here where young girls brought out from Stephenson's and Bernardo's homes, have been put with people, and there is trouble ; I do not know what you could do better, but it really is a great problem. Your conditions here are different from ours, and it is difficult to apply the same laws here. Dr. Bernardo and Miss McPherson have gone further in their system of family relations than any other institution. In their homes they have the children grouped together just like families of boys and girls, divided according to ages, the older ones taking care of the younger ones. The head of this home is a woman—the mother—who does maternal duties so far as the children are concerned. This seems to be the wisest and most natural way possible of bringing up the children on the family principle. But all that we have done but is like touching the fringe of the great mass of our criminal population in England. We have in London six millions of people—three times the number that you have in this province, and they are all massed together within a small area. We have our different societies, preventative, curative, punitive, whatever they may be makes no great difference, but really you can only reach a small fragment of the people.

Q. If some system could be devised under which both sexes could be brought up together as children, do you think it would be beneficial? A. I think it would be under proper supervision.

Q. Take the industrial school of Mimico—that is a moderate institution of that character, what would you consider the elements of danger there: we have over 100 boys; there is a matron there I believe, but as regards communication with the outer world, there is I belive none whatever? A. With over 100 boys brought together in an institution of this kind, there will be a great lack of moral back-bone again. These boys will even be worse than girls on account of the want of proper home training.

Q This is a very important matter, for the institution is one in which a great deal of interest is taken? A. Well, I would not be responsible for the moral training of these 100 boys. I think you would find this: those whom you have got there may be the children of very decent people, most of them, they may be there through misfortune, and not as the result of crime in any sense. But I think it is morally and rationally impossible for 100 boys to be massed together without acquiring evil from the few black sheep amongst them. Two boys who are really bad will do more mischief in one place than you could counterbalance by all the good training you could accomplish.

The Chairman.

Q. Take an other view of the case, and put from two to six boys into a farmer's house where the man and his wife are good christian people, and are sincerely desirous of improving the condition of the children placed under them, do you not think the evil influences of one would reflect upon the others. A. Not necessarily. I think that the number being smaller they could be dealt with far more effectively. If a man and woman are really christians—I am not now speaking of sham christians—I am now assuming that they are really christian people—there are many christian people whose christianity serves them for honest, common sense, and I think very little of that kind of christianity myself; but I think if they are the right sort of people they will be able to make those children useful citizens.

Hon. Mr. Drury.

Q. It requires a good deal of enthusiasm to take up this kind of work? A. Yes, the work is beset with difficulties of every kind; there are a great number of Rescue Homes in London, and I am afraid some of them do not serve any great practical purpose. These girls say to each other, "Don't go to such a place, she is such a tartar," alluding to the matron. Then you have them saying, "Go to so and so, she will take you in any case, she is such an old softy." My conviction is that a great many of the so-called rescue places are not worth two pins. Girls simply go there when the weather is rough and cold, and they have no means of subsistence for the time. I know, too, that there are homes where they make it a business to pick up the prettiest girls they can find and decoy them there for evil purposes. I might mention the case of the notorious Mrs. Jeffrey, who was so thoroughly exposed by Mr. Stead. If ever there was a she devil it is Mrs. Jeffrey. Some of the things that we know about that woman—about the way in which she conducted her business, would make you boil with indignation. Yet that woman, with her rich patrons behind her, could walk up boldly and pay her fine of 200 guineas, when she was prosecuted before the court. She has nine houses, and her special object is to collect little children for the infamous purposes she carries on. There is a case in point. A woman of that type can do more in the way of mischief, of causing crime and reproducing crime in a far reaching way, than a dozen of the worst men you could find.

Q. Do you think there are modified cases of the same kind on this continent? A. Yes. There is a case over in Buffalo of a woman of the same kind. That woman defies the law, and is allowed to pursue her discreditable vocation. As I have said, it seems to me that we are only able to touch the fringe of the business.

Mr. JURY.

Q. I would like to ask you one question as to the effect of tobacco. Were the results you described of the excessive use of tobacco obtained by your own personal observation? A. By my own observation in the first instance; then I began to make enquiry. I have been getting information on the subject for the last ten years. I will give you the name of a gentleman who has studied the matter for a long time, Dr. James Kellock, of Battlecreek. I know instances of children of nine years old who have been suffering from St. Vitus' dance, from no other cause than that of being surrounded with tobacco smoke. The tobacco has a deadening effect upon the nerves, it produces a craving for excitement, and the persons tainted with that are more liable to fall into sensual crime than ordinary children are. We have not facts enough as yet to enable us to lay down any positive rules, and I would not lay down positive rules, but what I have told you is confirmed by experience.

Q. Would you be surprised to hear that the opinion of medical men here is entirely the other way, with regard to the use of tobacco? A. But medical men themselves smoke, and they are by no means impartial judges. I will say, however, that we are only in the morning of our investigation yet.

Q. I was present at a very long discussion of medical men, and their conclusions were the very opposite to what you say? A. Well, I can but give you the result of the observation of those who have devoted much attention to the subject.

Q. You think that the confinement and active employment are the best remedies that can be adopted, and important factors, at any rate towards reclamation. A. I think that active employment and compulsory submission to certain rules will help to overcome the tendency to evil. The trouble is, that the brain power is so low, and the moral sense is so debased that it takes a long time to accomplish the purpose.

Rev. J. S. Ross, Centenary Methodist Church, Hamilton, called and sworn.

The CHAIRMAN.

Q. How long have you been a resident of Hamilton, Mr. Ross? A. Two years.

Q. Have you come much in contact, either by gaol visitation or otherwise, with the criminal population? A. No, I have not.

Q. Have you ever visited the gaol? A. No, I have had no occasion to do so.

Q. You have, I understand, advocated the appointment of this commission? A. Yes.

Q. What in your mind is the necessity for it? A. In the city here we had a meeting. Representatives from the Ministerial Association, and clergymen of the Church of England and of the Roman Catholic Church, had a consultation with the Hon. Mr. Gibson, who resides here, and is a member of the Government, and we urged the establishment of the commission. The Bishop of the Church of England was present. At the time Mr. Gibson could not give us any information, and we all expressed sorrow that there was no prospect of a commission of this kind, because there were subjects that needed to be brought before the people as to the classification of prisoners and the enlargement of the gaols that might be necessary, and required expenditure of money, such as the Government of the country would not be likely to grant to the county councils, or as the result of an agitation. If no commission were granted, we felt that it would be absolutely impossible to rouse the people thoroughly on the subject, and we thought if a commission were appointed, such an agitation would be aroused that the government would be compelled to consider it. Its report would contain, not mere theories and sentiments, but information that could be used by ministers and persons interested in the progress of the community; and the facts therein stated, would be indisputable. This is the reason I was anxious for a commission to be appointed.

Q. From your experience as a clergyman, what do you believe to be the great cause of crime in this community? A. I think the two principal causes are the liquor traffic and bad homes.

Q. Take the last first, the bad homes; can you inform the commission what, in your opinion, would be the remedy or partial remedy for this! A. That brings up the question of Sabbath schools, public preaching, and the general inculcation of morality, and economy, and thrift. For instance: If a father and mother are shiftless in their ways, and have not control enough over their children, or proper sense of parental authority, the boys and girls are likely to get out into the street, to stay out late at nights and learn all kinds of evil. They learn this from bad companions. If the parents have no control over them, the boys are almost sure to get into mischief, and get into the police court and gaol, and thus to learn thousands of things that they otherwise would not.

Q Then you think, in regard to youths, that it is largely the want of proper care and attention in the family relation that leads to crime? A. Largely.

Hon. Mr. ANGLIN.

Q. What can the state do to effect a reformation in this respect? A. I do not know that the state can do much; it belongs more to the church, the Sabbath school and moral and religious influences. I do not know that the state can do much in making the homes of the people good.

The CHAIRMAN.

Q. Would you have the state wait until an overt act has been committed by a youth before taking him in hand? A. I do not think that the state could interfere until some act has been committed by a boy.

Q. Then as to drunkenness. Do you think that any means could be adopted whereby the condition of those who are addicted to drink could be improved, or the reclamation of any considerable number of them brought about. A. Well, of course all organizations, such as temperance societies and sabbath schools, where pledges are taken and meetings held, are helpful. It must be personal work. I am in favor of letting children have the evils of intemperance brought before them at an early age, and of having them taught not to drink, and then they would see the benefit of taking the pledge. Then if a boy goes out amongst other boys he will remember the pledge that was taken previously.

Q. As a clergyman, having charge of a large congregation, do you find in your congregation the evil effects of intemperance, directly or indirectly, brought under your notice? A. Oh, yes. The effects of it are brought before me almost all the time in some form or other. In my own church, not so much as in the community generally. We don't suffer so much because no person is a member of the church that I am connected with unless he eschews intoxicating liquor absolutely. Our religious bodies in Hamilton make efforts towards the reclamation of those people outside as well as those inside the churches. On Sunday afternoons there are meetings of three or four or five temperance organizations. These organizations invite ministers alternately, to deliver addresses on Sunday afternoons, and I think they all do a great deal of good.

Q. Do you think good practical results flow out of that? A. I think so. The very fact of the number of these organizations tend to reduce the attendance at any one of them; but quite a number of people go there, and we learn from the papers the next morning the number who sign the pledge. Of course the ministers leave before that part of the work begins.

Q. Do you know if much is done by personal efforts? A. Yes, I think a great deal, although we cannot judge of the extent.

Q. What are the results so far as you have had an opportunity of judging as a pastor of a congregation? A. Well, the whole subject of temperance reform is a very

discouraging subject ; you will get men perhaps to refrain from drinking for three or four months, and then they are so apt to fall away again. There are so many temptations and there is their own natural craving which is the worst temptation of all.

Hon. Mr. DRURY.

Q. Your idea is to get the children before they form an appetite at all? A. Yes, before they fall. In all the Bands of Hope the subject ought to be brought prominently before them, and the evils of intemperance put forward to keep them from falling away, and to induce them to take the pledge.

Q. Would you be in favor of prohibition? A. Oh, yes, I go for that every time I get the chance.

Mr. JURY.

Q. You say that proper home training would prevent boys going on the streets. What would you do with the boys if you prohibit them from the streets, they must have some amusement ; there is no room for them to play in the gardens, for perhaps the father may be cultivating a few vegetables there, and the boys cannot be expected to stay in the house in the nice summer evenings? A. I refer to the late hours and bad companionships.

Q. Boys don't become bad boys all at once. Don't you think that something might be done to give a decent boy an opportunity for healthy recreation? A. I experienced that difficulty when I was a lad, but I got interested in the village library, interested in books, and my attention was fully occupied in reading.

Q. What age were you then? A. 13 or 14.

Q. But take an average boy before he gets to that age, the average young lad with a bad home ; what are you to do with him? A. That is a very difficult thing to say.

The CHAIRMAN.

Q. I suppose what you want to get at is whether means of healthy recreation should not be provided for these boys. What is your opinion as to that Mr. Ross? A. Well, we have no playgrounds at all. I think if parks or playgrounds were provided it would really be a great advantage to the boys themselves, places where they could play until a reasonable hour, until dark in the summer time.

Hon. Mr. ANGLIN.

Q. Don't you think that if some respectable person were present while the games were going on it would be a good thing? A. Yes.

Mr. JURY.

Q. The policeman for instance? A. No, I would not have the policeman because they would be regarded by the boys as their natural enemy.

Hon. Mr. DRURY.

Q. Do you think it would be prudent to have some arrangement by which, when it became clear to an officer that children were growing up without proper parental control, were in fact being prepared for a criminal course, the state should interfere and take them from the control of the parents? A. It would be a good thing provided you had a man of good judgment and good common sense ; but it would be bad were he a person capable of being influenced by prejudice against any individual. He might persecute a parent and cause him great annoyance. It gives a man a power that unless he is a very good man he should not possess.

Q. You would not be in favor of the state going too far in that direction? A. I would be very careful and only give the power to a good man. I do not think I would entrust a policeman with it.

Q. Do you think it could be safely left to the discretion of a judge? A. I think it might.

Hon. Mr. ANGLIN.

Q. When a man and woman are of drunken habits and drive their children out to beg on the streets, and this goes on from day to day and from week to week, don't you think there should be some state interference in such a case? A. These are extreme cases; in that case I would give the neighbors power to bring the matter before the Judge, and ask the Judge to send the child or children to some home or institution where they would be likely to be saved from such contamination.

Hon. Mr. DRURY.

Q. What are your views as to the managemet of gaols? A. I do not see any hope of any reformation in regard to the gaols or classification from the councils; no matter how disgraceful the gaol may be I have a very poor opinion of the liberality or generosity of councils. A man cannot be elected unless he will promise to pull down the taxes lower than his predecessors. I am, therefore, in favor of the Province taking the entire control of the gaols. There would be some hope then of a reconstruction of the entire prison system. I have watched the councils for 25 years, and wherever there is a question of expense or necessary expenditure to be incurred there is no hope from them. As to indeterminate sentences I would be in favor of the appointment of a board or commission who would have the power to decide the duration of a person's imprisonment in gaol. I think it is impossible for a judge sitting on the bench to say with justice that a man is to receive three years for this and two years for that irrespective of any change that may be effected in his condition. I think it is impossible for a judge to come to a correct conclusion in the matter, especially as regards boys. I think it would be an advantage to have indeterminate sentences, for this reason if for no other, that it would tend to make boys try to be good and to obey the rules; and the commissioners or board could satisfy themselves that a boy was reformed before closing his sentence. The boy ought to be trained to principles of honor, truthfulness and obedience to the rules before he obtained his release.

Q. Do you speak of the reformatory now at Penetanguishene? A. Yes, and I would have the system in operation in the gaols too.

Q. Your remarks apply to juvenile offenders more particularly? A. Yes, up to 19 or 20 years of age.

Hon. Mr. ANGLIN.

Q. What about indeterminate sentences in the case of drunkards. Mrs. Bradley spoke of confining drunkards for long periods or indeterminate periods with plenty of work to occupy their attention? A. I think that is the only hope for the drunkards and I do not see much even in that.

Q. Do you prefer indeterminate sentence to long periods? A. I would prefer indeterminate sentence, although it would give an amount of power to somebody. I would not give it to one who might be influenced by prejudice against a man. I would rather leave it to three fair minded men who are acquainted with the facts and let them decide how long a man shall stay; it always helps to develop strength of character and supplies a motive to the prisoner to follow a course of good conduct when he knows that his behaviour will have an important effect in determining his release.

Q. You think it would be better to have a system of reward as well as of punishment? A. Yes.

The CHAIRMAN.

Q. What do you think would be the moral effect of this? Don't you think it might develop hypocrisy and create mere eye-service, and a pretence of being good for the

purpose of reducing and lessening the period of sentence? A. If you had firmly established Commissioners who would have every means at their disposal of arriving at a correct judgment I do not think it would.

Q. It may be difficult to test actual reformation under the good-mark system in prison. It is notorious that frequently the very worst men become the best prisoners, because they know that if they can secure the marks their sentences will be shortened? A. But at the same time the fact of a boy obeying the rules with a record of five years' obedience, and strict good conduct must help him when he gets out. He is good at least while he is there, and that may induce him to good conduct afterwards.

Hon. Mr. ANGLIN.

Q. Have you taken into account the fact that the action of any Board of three or five persons that might be appointed must largely depend upon the report of the warden or prison governor? A. Yes. But I would rather have that than that the Judge should have it in his power to sentence a boy definitely for three or five years. Even with the possibility of a man making a mistake in his recommendation to the Board, he would be better able to judge of the boy's condition after he has him for a term under his close supervision than the man who sentenced him.

Q. The general contention is that the punishment shall fit the crime. A man commits a crime for which he is sentenced for three years, but you would send him down on an indeterminate sentence and he might be kept ten or fifteen years, simply because his conduct does not satisfy his keeper? A. Oh, even with indeterminate sentences I would have a limit.

Hon. Mr. DRURY.

Q. Taking an aspect of the case as it occurs in the only institution to which we could apply it, the Reformatory at Penetanguishene, would you be in favor of some system of investigating whether a boy should be sent down for three or five years, whether his sentence should be shortened as a reward for good conduct; of course there is no such power now; it has to be done by the Minister of Justice in Ottawa, by petition, and that is a very cumbersome proceeding? A. As I understand it people in the neighborhood where a boy lives have to get up a petition, and unless a boy has friends in the neighborhood he has to stay in the Reformatory the full term, because the chances are nobody will look after him; but I think the industrial schools as well as the gaols should be conducted on the principle that persons can by their good conduct shorten the period of their stay. I would have three industrial schools established in Ontario; one in the west, one in the centre and one in the east. At these places a boy learns a trade, and when he goes out he feels that he has something that will be of some service to him in life. I would have the girls learn to keep house; most of these girls come from a home where the mother is a slut, and where they see nothing of purity and cleanliness and parental care; but at these institutions they can be taught cooking and housekeeping, and when they go out they will be useful women.

Q. If these girls can only be trained as first class domestic servants there is a splendid field for them? A. Yes. People find out that there is only one in ten of our young women that are able to take charge of a kitchen; they are driven into factories, and they walk the streets at night, and they get into all sorts of trouble.

Q. You heard what Mrs. Bradley said this morning as to the danger of massing boys together. Could you tell us whether we could establish anything that would be nearer the right thing? A. Theoretically, it seems to me a most natural thing to send boys and girls together. We all admit that it has a humanizing effect. There ought to be more home life in our institutions. Where there are boys there should be girls too. I am satisfied that that would have a humanizing effect.

Q. You heard Mrs. Bradley speak of her great preference for putting children out into respectable families. What do you think is best? A. I think it you can get the right people to take the children it would be a good plan.

Mr. Jury.

Q. Do you think it is possible that the same sympathy can exist between the persons to whom the children would be entrusted as there would be between the parents and their own children? A. They should be all treated alike.

Q. With reference to industrial schools, do you think that teaching boys trades would have a good effect and would tend to reduce the number of criminal classes? A. I am satisfied that it would.

Q. There were 12,531 persons in the gaols according to last year's report, and of that number 5,308 were laborers, and 539 were of no occupation, leaving a very large number of criminals who had trades at their command. How does that agree with your theory? A. Figures are valuable sometimes, but they do not always give the proper impression. Very few would be of no occupation, because even if a boy were quite young he would say he does some little thing.

Q. He would be called a laborer. Then there is the other question that the country can only support so many mechanics and skilled workmen? A. I believe in giving a man a trade.

Q. There are many who have trades now who appear to find their way into gaols? A. Yes, but they may have a very imperfect knowledge of their trades.

Q. Then I think you stated that the common gaols are a disgrace to the Province. In what respect is that the case? A. They are many of them poor buildings, badly ventilated, and allowed to fall into dis-repair. No repairs can be made to them without deplorable loss of time in getting the county councils to consent to them. I understand that the Government has great trouble in making any improvements for that reason.

Q. How do you know this? A. I have it from general information—from the newspapers.

Q. In that respect only you say they are a disgrace? A. Yes.

Junius August Stoddart, Manager of the Homestead Society, called and sworn.

The Chairman.

Q. Have you had any experience in connection with the depraved or criminal classes? A. When I was a boy I was a clerk to a poor law commissioner in Ireland. I was two years and nine months in that position, and that brought me in contact with all the pauper elements of the country. I went round from poorhouse to poorhouse. My father was a poor law guardian and I had a great deal of experience in connection with that class of people in Limerick in the south of Ireland.

Q. Have you had any experience in connection with gaols in this country? A. When I was in the army in the States, I had to do with a military prison there.

Q. Have you considered at all the relation of drunkenness to crime? A. I am satisfied that drunkenness is the principal cause of it. I think the habit of treating ought to be suppressed by law—rigorously suppressed. I would make treating on the part of a man who permitted it at his place an offence punishable with the loss of his license forthwith and enact a law that would make it impossible for him to regain it. Then I would take all screens and curtains off the bar-rooms and if this were done you would not find lots of men go into the bar rooms that find their way now. I would allow no place to have a license, where those in the bar could not be seen by those in the public street. I would grant no licenses to the grocer who sells liquor to women. I know you have a law here to prevent people selling liquor to children, but I would increase the age to 18 years. As regards children no liquor should be sold to them under any circumstances.

Q. Are there any other suggestions you have to make? A. There is another class of saloons with which I think they ought to deal; it is the saloon that encourages dancing.

Q. Is dancing permmitted in the saloons here? A. It is carried on night after night. The young people go out to these places, in the winter time; they go out sleighing, and the result is immorality and prostitution.

Hon. Mr. DRURY.

Q. Do you mean to abolish the county gaols altogether? A. I mean to abolish them as they did in the old country.

Q. What improvement would that be? A. I think that would enable you to deal with the prisoners effectively, and carry out a proper system of classification of all classes of prisoners.

Q. Then you would have large institutions with better provision made for the different classes? A. Yes.

Rev. Thos. GEOHEGHAN, recalled.

Hon. Mr. DRURY.

Q. I understand that you wish to make some addition to your evidence? A. I wish to make one or two statements generally as regards the treatment of inebriates. My experience differs a little from the opinion expressed by the majority of the people here. I have known a good many go to an inebriate asylum, and the majority of them have been reformed.

Q. Where. In the States? A. Some in Canada. One case particularly I have in my mind. A business man went there of his own accord. I have known none except those who have gone of their own accord, but those are restored to society and are sober men; some of them, but not all. I know the case of a man who entered an inebriate asylum and passed through a very strong financial strain afterwards, which it might naturally be supposed would be hard upon a man who had just been given to drink and might have led him back to his old habits. He passed through it without going back to drink, and he is in a good position to-day. I think that perhaps drink had in the first instance something to do with the failure of his business. I may say I know another case. A man who is now in business on the other side, who took years to prepare himself to be a drunkard, and when he reached the acme he thought he would go to Chicago and there he spent 6 months and 27 days in an inebriate asylum. It resulted in his going back to his business and he is a sober man to-day; but he still tells me that the slightest return to the habit of his former life would bring him entirely back. I know a third case where the man is now drinking very heavily here, and I have been interested a good deal in him. He is a first class tradesman and earns large wages. He did not drink until he was 20 years of age; he was in the employ of a large firm in Ohio, and he kept straight for a time but occasionally took drinking bouts. His employer saw what the trouble was and he said he would like to get him cured, and he offered to pay this man's expenses if he would go to the Chicago Inebriate Asylum. He went there and remained for a certain time and the Superintendent of the Asylum advised him to stay longer; but his own feeling was that he had overcome his trouble and he went back to his employment, but in a year he fell again. I saw him in the street a few days ago and he says himself that he knows that had he remained sufficiently long in that Asylum he would have been cured.

Q. Do you think that the same good results would be likely to follow if the law were changed so that we could deal with these cases in a practical way, that is to say, to send them to institutions where a man might be cured against his will? A. No. I do not think that a man could be cured against his will, for he would relapse again into his old habits as soon as the restraint was gone. A great many of these men are in a

state of hopelessness. If you speak to them and question them in regard to it they will tell you that they had no intention of being a drunkard, but that they must follow their natural cravings.

Q. What is your idea as to the possibility of avoiding that? A. Some will tell you that it is their hope to be removed from where it is some day, or that they will get cured; others will tell you that they will never be cured for this reason I think if you put a man away and keep him away—closed up until he is sobered and brought to see the danger of his position and the prospect of his being cured, you may do something with him.

Q. Would you advocate the establishment of an inebriate asylum? A. I certainly would, and put it under Government control.

Hon. Mr. Anglin.

Q. With power vested in the judiciary to commit persons to it? A. Certainly. I never met a drunkard yet who told me that he wanted to be a drunkard; or a man who set out with the intention of becoming a drunkard. I have never met a man who does not hope to find some day a means of escape from the bondage of drink.

Q. In the cases you have spoken of, would you not attribute the recovery of the men to personal determination? A. Personal determination could not restore a man without some help. A man's appetite and his will are often struggling, and hence his difficulty in effecting self-control in this matter. The second subject I wish to speak to you upon is the supervision of boys in the playground and putting persons over them. I find some persons say that the police are necessary, and without the police there is no possibility of keeping them in order. Now my experience is quite different. As a clergyman of the church I have been connected with and have had to deal with as many as 150 boys in afternoons and evenings; I have never heard more than once or twice any bad expressions used upon the ground. The understanding upon which they come is that they shall have all the fun they want within certain limits, but there are to be no bad words and no horse play, such as taking off and throwing caps. They have their sports outside in the summer and inside in the winter. The fact of a policeman coming along has amongst ordinary boys a very bad effect, especially when the policemen interfere; the boys begin to think it is a very clever thing to fool the policeman. The third subject I wish to speak upon is what causes a good deal of crime and is productive of a good many of the offences with which the Hamilton bench has to deal, and brings a good many people to the common gaol. I think the slack enforcement of the present license system has more to do with this than anything else. It is a well-known fact, I have seen it the case on Saturday nights repeatedly, when we have a crowded thoroughfare in the city of Hamilton. I have seen the side doors of saloons open, some people coming out and other people going in; others again going up and down the street, having every indication of having been inside saloons. There are saloons that do a bigger business from Saturday night until Sunday morning than is done during the whole of the rest of the week. Many persons stay to drink even from Saturday night until Monday morning, with the result that they are not able to go to work on Monday, and from that they probably drift into crime. I have been told by the police that the great difficulty with a certain class of men is that on Saturday nights they are tied as if with a halter to the tavern, and there they remain until their money is all gone. They go into the bar and drink and never see their homes until their money is spent. As long as the license law remains as it is this class of men will drink. There is hardly anything that will degrade and corrupt a man sooner than this clandestine drinking. It is a very great source of crime. A man who goes into a saloon and "sneaks" his drink, that man is very close on criminality, for this reason, he naturally feels from that time that he has been a law breaker. I would have more hope for a man I met reeling drunk on a Saturday morning on the public streets of the city in company with half a dozen others with whom he had been drinking, than of the man who was in the habit of sneaking into places and drinking during the hours they were supposed to be closed. There is more of the sneak about that man, and if he is a sneak to-day he will very likely be a thief to-morrow.

Q. Is it part of the duty of the police to see after the enforcement of the license law? A. I think not. I think it is left entirely in the hands of the inspector. I have spoken of this same thing. A good many think it is a part of the obligation thrown on the police force to see to this, and they have brought up men on several occasions, but infringements of the license law as a rule are left to the inspector.

Q. It seems one of the most natural things in the world that a policeman seeing the Provincial law broken should interfere? A. I have seen policemen take a boy up for throwing snow balls and take him up for some other small trivial offence, and yet pass twenty places where drink was being sold, where the saloon doors were wide open when they ought to have been shut; yet drinking was going on there and men were allowed to remain there until Sunday morning. I have seen, too, children going home with a bottle in their basket, taking drink home to their parents. I make it my business to speak to them and find out that it is really as I have said.

Dr. Rosebrugh.

Q. You see a good deal of the county gaol, I think. Are you in full accord with the way those institutions are managed? A. No, I think that the county gaols should be conducted on the cellular system. I understand that in Great Britain all the local gaols are conducted upon that system. I happen to know that it is the case very considerably at all events. I have read several works, one by Dr. Cameron, who speaks of it as being very largely in vogue, and of the beneficent results attending it in the opinion of prison experts, who regard it as the best means of keeping prisoners from contaminating influences.

Mr. Jury.

Q. Do they apply the cellular system through all the prisons, I mean are they in the habit of allowing the prisoners to mix together in their work? A. No.

Q. Do they exercise them with but one in a yard at a time? A. As far as I know they work them in the separate cells. In Dartmoor and the large penal establishments they work them outside, but there is no cellular system there.

Dr. Rosebrugh.

Q. We are led to believe that crime has fallen off considerably since the cellular system was adopted in Great Britain? A. Yes.

Q. Do you think it is liable to objection on mental grounds? A. No.

Q. Have you heard objections raised against it? A. I have heard objections raised to it on account of the facility it affords for secret vice and on account of the effect it has upon the mind. My experience is entirely different. My experience is that where a number of men are congregated together their talk excites each other's passions, and when a man goes back to his cell he is liable to commit the secret vice which is supposed to be attributed to the cellular system. I have heard prisoners in gaol talking at night. I have heard the conversation of these fellows, and it has been worse than anything I have heard in my life. I have stood at the end of their cells and I have heard conversation there that startled me. Had I not heard it I would never have believed it possible that such conversation could have been carried on.

Mr. Jury.

Q. And I suppose sometimes they are men professing great repentance? A. Yes, great repentance.

Dr. Rosebrugh.

Q. Do you think that the increased expense would be ultimately more than covered by the advantages that would attend the cellular system? A. I think it would. I think the present system is a false economy.

Q. You think it would tend to lessen the amount of crime? A. I think it would lessen it very materially. In a very few years you would get more than your expenditure in return. I have a case at the present time of a boy 18 years of age who is in gaol the second time. When he went the first time he felt his position very keenly; so much that he got his friends to pay his fine and get him out. On the second occasion he felt very bad at first, but soon began to accommodate himself so well to the new surroundings, that before the end of his 14 days he was writing his name on the walls of his cell. I was speaking to him not very long ago.

Hon. Mr. DRURY.

Q. What gaol is he in? A. He is in Hamilton gaol. I happened to be in the position to offer him a ticket to any place he might choose to go to upon his discharge. I went to him a few days ago and had a talk with him. I said to him "It seems to me that your usefulness is gone in this town: it is a sad thing to see a boy of your age here." And I asked him whether he intended when he came out to go back to gaol again and perhaps spend the greater part of his life in gaol. He said he didn't. He would like to begin life again fresh. I offered to get him a ticket to take him to a place 200 miles distant, and left him to think it over. When I came back a few days afterwards he had evidently talked it over with one or two others, for he had a very different air on him. It was just as Governor Ogilvie had told me. He said as I went in, "You will find more difficulty with him to-day; he has got used to his situation and is beginning to get into the prison diet. You will find he is not so easy to deal with as he was before." I certainly found him more difficult to deal with than almost anybody. I was speaking to him this morning, his brother-in-law was with me, and I asked him whether he intended to go home and whether he wanted any assistance. He said he had got money. He had put in his 14 days now, and I asked him where he was to get the money from: remarking that he told me the other day that he had none. I asked him "Are you lying to your brother-in-law or to me." He said he had $7 altogether, but I could not believe what he said. I am perfectly satisfied that that boy had become thoroughly hardened. The fact of his writing his name upon the walls shows that.

Dr. ROSEBRUGH.

Q. Supposing that this Commission should report in favor of the cellular system, do you think the county council will carry it out? A. I have not the slightest hope of the county council doing anything.

Q. Then what would you do? A. I would put the gaols into the hands of the government.

Hon. Mr. DRURY.

Q. Do you think that the county council will contribute towards the carrying out of the work? A. I should think that the Government of Ontario would be able to levy taxes in such a way as to make the necessary changes not such a very great burden upon the people.

Q. You see we have no system of levying taxes upon the people here, so that if we contemplate the Government taking full control of the county gaols, the whole question of the expense to be borne would be a serious one, as it would involve a large expenditure of money. The counties would no doubt be willing to hand over the whole thing to the Government if they were relieved of the duty of contributing towards this? A. My own opinion would be that the Government should raise a tax for this purpose.

Q. They have a right, but it would involve a new principle, it is one of the things that the Government would have to think very seriously about? A. Well, I think it would be a good thing.

Q. How would it be if the Government first applied to the council, and if the council failed to do what was required the Government took the matter in hand, made the improvements and called upon the council to pay for them? A. I think that might be done. I do not think it would cause very much friction.

Mr. Jury.

Q. Dr. Rosebrugh asked you whether a great diminution in crime had not taken place in England since the cellular system was adopted. We know that there has been a decrease of crime in England, but do you think it is solely due to that? A. I think there are other reasons as well, but the adoption of an improved prison system like that at Wormwood prison, going hand in hand with these other things, has led to a reduction of crime. I think this has helped to do something towards achieving the result.

Q. Have you ever studied the difference between the cellular system and the congregate system? A. I have not.

Q. Don't you think that one of the causes of the decrease of crime is the general improvement that is taking place in the condition of the people, and the fact that they are beginning to make better provision for old age—in fact, the better condition of the people generally. Don't you think that has more to do with it? A. It has something to do with it but not all. No doubt the fact of there being more voluntary societies does this, but I also know that there is a bigger struggle to-day with a great many people in England than there has been at any time in the history of the country.

Dr. Rosebrugh.

Q. We are told by the statistics of the United States that crime is very much on the increase—out of all proportion to the increase of population. Don't you think that a better system of reformatories and of prison appliances might have the effect of reducing the criminal population as has been the case in England? A. I think that criminal population might be reduced in any centre if there is as much facility given for improvement and reform as there is for destroying. I think if the agencies for the reformation of men were as numerous as the agencies for destroying men, there would be less wickedness in the world.

Q. We are speaking of the gaol system? A. I think it would be an advantage to the community if it were improved upon.

Hon. Mr. Anglin.

Q. Might it not be that the system in England of giving the masses better education than they had in the past—creating a greater distaste for being imprisoned, making them less reckless than they were before, and more skilful in keeping out of the hands of the police, has the effect of causing an apparent diminution of crime which is not real? A. I agree with you to some extent. I think that deducting those who do right for the sake of doing right there is a considerable number who refrain from doing wrong because it does not pay, or because it would get them into trouble. There is a considerable portion of the community no doubt that are not in the criminal ranks because they have not been found out. Some begin with small things and end by becoming forgers or perhaps cracksmen.

Kingston, 15th July, 1890.

Present:—J. W. Langmuir, Esq., Chairman; Hon. Chas. Drury; Hon. T. W. Anglin, Dr. Rosebrugh, A. F. Jury, Esq.

Dr. Lavell, Warden of the Kingston Penitentiary, sworn:—

The Chairman.

Q. How long have you been Warden of the Penitentiary? A. About five and a half years. Previous to that I was surgeon; I was appointed to that position in 1872.

Q. How many prisoners have you under your care now? A. 580—558 men and 22 women. Of these, 35 are insane.

Q. Do you regard labor as an important element in a prison system? A. I think it is a necessity. In the first place the employment of every man is better for discipline; it is better for health; it diverts the prisoners from thinking constantly of themselves. The employment should have a tendency to fit the men for useful avocations when their term expires. Intelligent labor is essential I think to prison discipline.

Q. Should in your opinion a prison be self-supporting from the labour of the prisoners? A. I do not think it is possible to do justice to the prisoner and have the prison self-supporting.

Q. What labor do you carry on in your establishment? A. Our labor is confined entirely to our own prison work. We quarry stones, we dress them, we lay them, and do all the work of a mason; we do all our own blacksmithing, all our own tailoring, our own shoemaking, carpentering, baking, painting; we grind our own flour, and do all our own manufacture of tinware. Breaking of stone is a make-up, because we have nothing better for the men to do, and then we have the farm as well—the farm and the garden.

Q Do you look upon farm work as a good employment for prisoners? A. Yes, very good employment.

Q. What in your opinion is the most fitting employment for prisoners in the penitentiaries? A. Any labor that will draw out intelligent thought and attention, whatever it may be—any mechanical labor—whatever may be best for enlisting intelligent thought. Whatever amount of intelligence a man may have should be employed by him in his work, so as to direct his thoughts, and to that extent you do a man good.

Q. Would you designate any particular lines of labor that you think would accomplish that object best? A. I do not know that I could state it better than by saying one general system of mechanical labor.

Q. Are you opposed to the contract system? A. I am opposed to it only in so far as there is danger of interfering with discipline, and for this reason: A man contracts to employ say 100 men and he wants to get as much work as possible done; he only cares to get his work done, and hence he will not trouble himself sometimes about breaches of discipline, and he would not hesitate to bribe a convict to do a little extra labor, it may be by a plug of tobacco or a ten cent piece; he might perhaps encourage a convict to look for additional pay from him, and it might lead him to wink at the mistakes or errors, or violations of the rules. The convict who does a good deal of labor for him is the best man for him. The only advantages of the system so far as the State is concerned are that it relieves the country of expense, and of course that is material.

Q. What is your ideal system for the employment of prisoners in penitentiaries? A. My ideal system is what is termed the State Account System. In the first place, it gives the State the benefit arising from the labor of the convict; in the second place, the convict is entirely under the control of the prison officers; the instructor or teacher is a prison officer and is responsible to the warden, who has entire control; and then it gives more satisfactory results in this way, that the convict is protected against the exactions of men who naturally seek to get all the work they can out of him; it also gives better moral control over him; in other words, the control is in all respects direct, and there is no intermediate authority between the warden and the convict

Q Would you, if you could not get your ideal system entirely, favor a system partially contract and piece work? A. No, I would either have it one or the other. I would not attempt to carry on both; no, it would produce complications; I do not see how you could very well carry on both systems.

Q. Have you ever adopted the system whereby the prisoner is entitled to a portion of the sales value of the products of the penitentiary? A. We have not. I think that is a system very much to be desired—to give the convict an interest in the product of his labor. I think that it is the only true system having reference to the reformation of the convict.

Q. How could that system best be carried out? A. I would be governed by the circumstances. If a man has a family in poor or destitute circumstances, I think the family should get his share of the proceeds of his labor. I think it would have a better effect than the retention of it until the end of the term. A good many of the prisoners are anxious about their family. A large proportion, the best behaved men in the prison are married men with families. I think it would relieve the prisoner of the anxiety he would feel as regards the care of his family; it would encourage him in his work; it would draw out those points that are best in him; he would say, "here is a system that provides for my family against want as far as it can; I have brought them to this and it ought to encourage me to feel that I am contributing what I can to their support." If I could induce the authorities to see the matter in the same way I would do so.

Q. Do you think it would be practicable? A. I do think so. It would entail a good deal of labor, but it is practicable.

Q. Would you give the convict a proportion of his earnings even if their total value would not be sufficient to defray the cost of his maintenance? A. That is a question for political economists, but I would do so. There are some men who are quite as industrious, but who would not be able to earn as much as others; I would give them the benefit of their labor and intelligence, although they might not come up as regards value of work to what is necessary for their maintenance. I would not wait until the prison was self-supporting from the sale of products. I would let it go on at once, having reference to the reformatory influence it would exert.

Mr. Jury.

Q. Do you think that the fact of a man knowing that he could get his family supported or partly supported while he was in gaol, would tend to make him careless as to his behaviour outside the goal? A. I have no reason for thinking so. One of the things that keep a man from committing crime is the idea that he wants to keep his family and his wife from the street; I think the family idea is a very strong deterrent from crime.

Hon. Mr. Drury.

Q. Marriage then has a humanizing tendency on the criminals? A. Well, I find married men our best prisoners.

Q. Would not the system that you speak of involve a large expenditure of public money in keeping up this institution? A. I do not know that I would adopt that system under the present condition of labor in the penitentiary. This is merely an ideal system.

Q. I understand from what you have said that you would not be in favor of any form of labor which simply involved work to the prisoner but not the accomplishment of some useful purpose; your idea is to enlist the sympathy and to arouse his intelligent interest. That is a great change from the idea which prevailed a few years ago in England; for instance, when the tread-mill was in operation? A. It is a great change.

Mr. Jury.

Q. I see according to the returns for the last year you had thirty-nine re-comitments for one year; that for long-term men is quite a large percentage. I see also, from the occupations that most of these men were persons who had occupations previous to coming here; tailors, moulders, blacksmiths, etc. How do you reconcile that with the statement that by teaching these men trades you enable them to lead better lives? A. Of those men who call themselves mechanics, many don't know how to handle their tools when they come here; take this man * * * whose name you see entered on the paper there as a bookbinder; he has never worked at bookbinding here. I have been given to understand that he has never worked at it anywhere, only to a very slight extent in the lower provinces. He was sent up from Dorchester an insane

man. Then take this man * * * he calls himself a tailor but he is not a tailor. He was tried in the tailor's shop when he came here, but I had to take him out of it because he knew nothing about tailoring at all. Here is another man * * * who pretended to be a moulder, and worked in the moulding shop, but we soon found that he was no moulder. Men come here and call themseves carpenters, but they don't know how to handle a plane. They make these pretences because they think they will be a means of getting them a better class of work. Men say that they are shoemakers in winter time, because they think if they get into the shoemakers' shop it will save them from being sent to shovel snow. These are the occupations that the men give themselves when they enter the penitentiary, and they are invariably misleading.

Q. Don't you think that the trades you teach them will do them no good. Take the case of that man * * * there; you could not give him work that would be of any use to him or that he would follow after he left the penitentiary; that man would not be away a day before he was in York street watching the door of a dive? A. I do not mean to say that teaching a trade is successful in reclaiming a man in every instance, but it is with many. I am glad you brought that up, because it gives me the opportunity of explaining. Of course there are men occasionally that we know are mechanics, but take the man * * * for instance, who was committed for stealing carpenters' tools; the man who had about sixty different charges brought against him. He said he was a carpenter, when I asked him his occupation, and when I put him into the carpenters' yard he could not handle a tool. He had sawn boards perhaps, but that is about all the carpentering he had ever done.

Hon. Mr. Drury.

Q. When a prisoner comes under your care, how do you decide the trade or occupation to which you will put him? A. That is a difficult question. There is a kind of intuitiveness about it, but the general method is to get at his former history. We try to get at a prisoner's previous history; generally I gather some information from the papers as to his trial; I gather from conversation with him the man's own history as he gives it, and what he is convicted for, and then it is a mere matter of speculation whether I place him at the right work.

Q. You don't place him where he himself wishes to go? A. Sometimes I do. Take for instance, a young man who comes in here and has not been a criminal before. He has no history whatever. I would say to him, "Well, do you want to prepare yourself to earn a living outside when you leave here?" He would reply, "Yes, I do." I then would ask him what he would like to do, and probably would put him at the work that he asked for, but if a man like * * * came in I would not ask him at all. I have no rule to guide me in this matter.

Q. Do a majority of those who come under your care leave you with a sufficient knowledge of some trade to be able to earn their livelihood? A. Many of them do. I make it a point to give them sufficient knowledge in all cases where I possibly can.

Q. And you think the re-commitments do not come from that class generally? A. As a rule they do not.

Dr. Rosebrugh.

Q. It is stated by penologists that in dealing with persons capable of reformation, attention should be given as far as possible to employment with the object of improvement rather than as a means of profit to the State; but at the same time, that attention should be given to the labor market so as not to disturb the equilibrium of labor outside. Your class of labor I understand is intended to render a man most amenable to reformation, and thus you make a wide distinction between the corrigible and incorrigible? A. I would not rigidly introduce one view in preference to the other. I would combine as far as I could the two thoughts—what would be beneficial to the criminal himself, and also what would be advantageous to the community. I would aim as far as possible at reforming the prisoner if there was any hope of his reform being effected.

Mr. JURY.

Q. Do you take any interest in a man after he leaves here? A. I try to follow some of them, and some of them report themselves. I know of several who have earned a decent livelihood since they left the penitentiary.

Q. Do you think that the system of indeterminate sentence could be advantageously applied in the case of a prison for male adults such as the Central Prison? A. I have given this point a good deal of thought, and I have come to the conclusion that it is only applicable to reformatories. I think that in this penitentiary, where we have what we might term first class criminals, it would not be suitable and I would not recommend it. I would recommend it for reformatories where persons were confined up to the age of say 25 or 30 years, but not for older criminals. I do not think that it could be indiscriminately applied to all male prisoners sentenced to the penitentiary, irrespective of the offences committed. I think it should only be applied to a selected class.

Q. You think it could not be advantageously applied to the Central Prison for instance? A. It could not be applied to all the prisoners indiscriminately. In order to the successful carrying out of it there must be a selection of prisoners first of all.

Dr. ROSEBRUGH.

In the case of an incorrigible, whose past history shews that he is beyond reformation, should he be incarcerated permanently, or should he be sent in under an indeterminate sentence? A. I would not let his own conduct, in the case of an incorrigible, guide me in the matter at all; I would apply to him what is termed on the other side the "Cumulative sentence."

Hon. Mr. DRURY.

Q. In the event of the introduction of the indeterminate sentence into this country, who should be charged with the responsibility of determining whether the sentence should be shortened or not? A. I am not positive upon that. I would not like as warden to have the responsibility.

The CHAIRMAN.

Q. If the Ontario Government established workhouses in addition to the common gaols and the Central Prison, and instead of sending the drunks and vagrants to gaol for ten or twenty days, they were sent to the workhouse on some system of indeterminate sentence, do you think this would have good results? A. I think not, but I answer that question without having given the subject much thought. I think repeated commitments for drunkenness never wean a man from his cups. A man would get over a drunken spree in a short time in a workhouse, and he would then apply himself to work and be discharged, but his appetite would not be suppressed and he would fall back probably in two or three weeks. I would keep him in long enough to impress him with the mistake he has made.

Q. Would the indeterminate system tend to produce good prison conduct with a view to shortening the sentence without thorough moral reformation? A. I can only judge from the effects of remission upon our own men. Of course we have the remission system here; we shorten sentences from three to six months, or four to nine months, according to the length and according to conduct. This does not always work a moral reformation. The worst men I have in prison and the men who have been committed for the most serious crimes, are the best behaved prisoners.

Q. If we adopted the indeterminate system in the Central Prison, could this defect not be overcome by a parole system, or probational discharge, with a right to re-commit in the event of a relapse? A. I should say that the indeterminate system involves a parole system in all cases; the two should go hand in hand. I would hold the parole system applicable until the maximum term of the sentence had expired. The ticket-of-

leave man has to report at certain times, and under the parole system I should think the man would have to do the same thing. I would give a man the benefit of the indeterminate system combined with the parole system.

Q. Do you know from observation of youths who come under your notice if the indeterminate system would be a good one at the Penetanguishene reformatory, and could be applied there to young lads from 16 to 18 years of age? A. Well, I approach this matter with a good deal of delicacy. I only know Penetanguishene from report, I have never been there. I would not send boys under 15 years of age to any such institution. My view has always been that you should have a kind of institution in the Province like the industrial schools.

Hon. Mr. DRURY.

Q. Have you any idea whether the quantity of work that a man does here is equal to what he would do if engaged in the same kind of work outside the prison? A. As a rule I do not think that it is. I think I can say this: I will get my instructor to select from our men, and I think there is a large percentage of those men who would, if they were out at free labor, do as good work and as much work as any other men.

The CHAIRMAN.

Q. Do you think that if prisoners knew that a portion of the value of their labor would go to themselves and their wives and families it would be a great incentive to make them do an honest day's work? A. I have not the slightest doubt of it.

Mr. JURY.

Q. With reference to the tailoring, you cannot say how long it takes a man to make a coat, vest and pair of pants? A. I cannot say, I think a man makes a pair of pants in two days.

Dr. ROSEBRUGH.

Q. You have heard a great deal about the reformatory system at Elmira; are you in favor of it? A. I am very strongly in favor of it.

The CHAIRMAN.

Q. In your report to the Minister of Justice you say you are constructing penal cells, and we saw them to-day. Do you think that separate cellular confinement has a good effect upon certain prisoners? A. I think for a limited time at all events it has. I would not have it less than six months. Our plans are not matured yet, but it would be on the same idea as the Crofton system. I would select men and confine them for a certain period for probation and find out what they are made of, what they are fit for, and what could be made of them; then according to the circumstances let them go out and set them to proper work. I do not think it would have a bad effect physically or mentally. It has no bad effect mentally so far as I know; I am in favor of solitary confinement, although it is not a popular thing, because it would be good for incorrigibles. When a prisoner becomes incorrigible I would leave himself out of the question; I would remove him from contact with others where he would do a great deal of mischief; I speak now in respect of the discipline of the prison rather than for the sake of the man.

Q. Do you think that this system would be a proper one to apply to prisoners committed to the common gaols pending trial? A. No; I think that a man committed to prison pending trial should not be treated as a criminal.

Q. If we had the means of removing the sentenced prisoners from our common gaols and they became mere places of detention pending trial, would you then place prisoners in cellular confinement and keep them there until their trial in order to avoid the evils that might arise from bad classification? A. Well, there is a difficulty in answering that question; for instance, your assizes close in some counties at

the end of March or the beginning of April, and again in the fall, and a man may have to wait trial nearly six months; it would seem a hard thing to keep him in solitary confinement all that time, especially should it turn out that he is innocent of the charge preferred against him.

Hon. Mr. DRURY.

Q. Is it not true that a high percentage of those awaiting trial are criminals, and are guilty, and that it is a fallacy to assume that you are dealing with innocent men? A. I am committed and I can get bail; a man who has money and friends can be exempted from this, but the poor man who has neither has to remain in close confinement all this time,

Q. But over 80 per cent. of those committed and waiting trial would be guilty, and their moral character is just as bad then as if they were convicted; is it not a fallacy to assume that they are to be treated in the prison as innocent persons? A. The point is, can you isolate these men.

The CHAIRMAN.

Q. I ask you as one having observed prisoners for a great number of years, whether if we had the structural arrangements to do it, you would classify them by cellular separation? A. I would classify them.

Q. Would you keep them entirely separate? A. I would have some difficulty in answering that question, because it would punish the men, and you have no right to punish a man before he is found guilty.

Q. What effect would such treatment have upon an innocent man? A. That again would be a difficult question to answer.

Dr. ROSEBRUGH.

Q. Take the case of a female servant arrested for a first offence—a girl whose conduct has been good so far; would it not be a kindness to the girl to give her a room by herself? A. I would give her a room by herself but I would not place her in a cell.

Q. Is it possible to have a perfect classification until the prisoners are isolated in that way? A. Of course it would be impracticable to do it in any other way, but here is the point: instead of holding the prisoners here for instance, our Act for summary trial of prisoners comes to your help. I would not hold prisoners months in gaol, I would try them summarily; I would not remand prisoners from one term to another unless there were very strong evidence of guilt; I would not be in favor of isolation. It would be a punishment to some but not a punishment to others. I regard it as very severe punishment to subject men to this cellular treatment.

Mr. JURY.

Q. Do you think that evil results from the promiscuous mixing of prisoners? A. The promiscuous mingling of good and bad is bad.

Q. Have you any classification here? A. We have no classification; we have no hopes of accomplishing that.

The CHAIRMAN.

Q. Do you think that there are many prisoners who would teach crime deliberately to their fellow men? A. No, I will tell you how they do it. An old criminal who is in the same gang as young men will talk about his exploits—his hairbreadth escapes—and he will kindle in the mind of the young men a desire to emulate him. He would say to them "Now, boys, don't do that kind of thing for you will come to no good," but the mischief would be done all the same.

Mr. JURY.

Q. Would not the cellular system interfere with your other plans of labor? A. No; I could keep them at a certain kind of labor in their cells. I do not think that you could find profitable labor, so far as the State is concerned, without congregating the men.

Q. Don't you think that the cost would be enormously increased? A. No; not enormously.

The CHAIRMAN.

Q. What would be your system of dealing with neglected and vicious children of both sexes to prevent their drifting into crime? A. The establishment of institutions with educational and industrial objects in view, and the State should take hold of them; in other words the industrial school system should be under the Government, and I would have that system not a penal system; I would not have those schools places to which children would be sent to be punished.

Hon. Mr. DRURY.

Q. You would take them before they committed any act rendering them liable under the law? A. I think that the youth should be taken hold of before he commits crime, when he is criminally inclined, or incorrigible. Get him away from his evil associations before it is too late.

The CHAIRMAN.

Q. What is the chief cause of viciousness and criminality in children? A. Neglect—neglect on the part of the parents, and neglect on the part of society.

Q. What about hereditary taint? A. I am not a strong believer in the heredity of crime; I am perhaps a little exceptional on that point. I believe the grace of God with good training will overcome heredity.

Hon. Mr. ANGLIN.

Q. When you make that statement you virtually admit that heredity has a good deal to do with crime? A. On the same understanding as I would say total depravity would give a man a tendency to do wrong, but this can be avoided by education and training.

Hon. Mr. DRURY.

Q. Has it come under your notice that children taken from public institutions as a rule do not appear to come up to the average child brought up in a home? A. I have only experience of those who have not turned out well. We have a number of those sent out from the Old Country drifting into crime, but we have no traces of those who succeed. I have some in my mind who have been sent out from the homes who have been so abused and maltreated at the places they went to that they have been driven into crime; I have no hesitation in saying that. A man was sent here for killing cattle; that poor fellow was kicked and cuffed at the place where he was until he lost his senses. He was an importation.

Q. You are in favor of industrial schools? Do you see any element of danger in the indiscriminate mixing of boys whose ages range from five up to sixteen years? A. No more danger than the mixing of children in the public schools, the select schools, or the colleges.

Q. Are you not dealing with a different class when you refer to Mimico? A. I do not think so, because you have all classes there. I will not deny that they require closer watching than the children in the educational establishments of the country generally.

Dr. ROSEBRUGH.

Q. Perhaps you will qualify your statement as to heredity. You know that mental disease and physical disease are transmitted from parents to children; at the same time, you do not think that what one witness has described to us as "cussedness" is transmitted? A. I think you must draw a distinction as between simple heredity, and heredity with association and environment. If you have heredity with environment I will agree with you; but heredity itself, independent of environment of crime, I say that we are all tainted with it.

Mr. JURY.

Q. There is quite a large proportion of the boys sent out from England who, although removed from their bad environments, turn out bad? A. Yes.

The CHAIRMAN.

Q. If you take the child from the mother and remove it from the environment, would that child start on the same terms in the race as an ordinary child would do? A. No, because the child is physically weak.

Hon. Mr. DRURY.

Q. How far would you be in favor of interfering with parental authority? A. I believe in compulsory education as we understand it now, but of course it is a serious matter to interfere with the parental authority; I think there are cases in which it would be absolutely necessary to do so, however.

Q. Would you say that the power of discriminating should be in the hands of a judge, or in the hands of a man in a less than judicial position? A. It is a power that ought to be very cautiously given to any man, but there are parents who certainly should not be allowed to have the control of their children. Were a combination made of the judicial with the ecclesiastical power that might meet the difficulty. Take the County Judge, he would not be competent to decide as to the moral training of the child; but associated with a minister of a Christian church he would be able to deal with the case much more effectively. This is merely an impromptu thought; I have not given the matter careful consideration.

Q. There are many who are not under the care of any clergyman at all, and a clergyman would not be in a position to correctly judge them? A. You would be able to get other people who could give the necessary information, but I would not put the whole of the power into the hands of one man, whether a judge or anybody else; there might be influences at work which might operate to the prejudice of the parent. Sometimes people are not as bad as their immediate neighbors want to make out. I would give the judiciary power to send children to school.

The CHAIRMAN.

Q. What in your opinion are the chief causes of crime? A. Intemperance indirectly. I do not think that intemperance directly is the chief cause of crime, as is represented by many, but indirectly I think it is—intemperance resulting in destitution and want; and carelessness, in the training of children is. Idleness comes next and want of employment.

Hon. Mr. DRURY.

Q. Have you any classification in your returns to the Department as between the temperate and intemperate? A. I have, but I have no confidence in it.

Mr. JURY.

Q. When you spoke just now of want of employment, did you mean people that could not procure employment? A. No. I am inclined to think that, in this country, if a man wants work and can work, he can always find employment. I have known men in Kingston refuse to go to the country when they could have obtained work in harvesting. I have known servant girls who would not come out here because I live two miles from the city.

Hon. Mr. DRURY.

Q. Can you give an idea from your own figures as to how far intemperance would be a cause of crime? A. Take the classification of those who came in here during the year 1889—and comparing the number with the whole number of prisoners, the percentage is nearly about the same—so we may take it as accurately representing the whole of the inmates. We have three heads under which we classify them—abstainers, moderate drinkers, and the intemperate, as admitted by themselves. Out of 178, 23 reported themselves as total abstainers, 116 as moderate drinkers, and 39 as intemperate—those who acknowledged the corn squarely. I asked many of those men who say they are moderate drinkers what they meant by being moderate drinkers. I asked them if they ever got drunk. "Oh, yes," they replied, "they often got drunk, but they were not always on the spree." That is the answer I often got. I asked another set of men what they meant by moderate drinking, and the answer I got was, "Well I am able to attend to my work; perhaps on Saturday and Sunday I have a jollification, but I am ready for my work on Monday morning," and so on. Taking the intemperate they are fellows who will say, "Well, Warden, I will own up squarely that I drink too much," and of the whole 39 classed as intemperate I do not think there is one who has misbehaved himself in prison. They admit their drunken habits, and boldly set themselves to do better.

Q. I suppose your opinion is that this statement being given by the men is altogether too favorable? A. Yes.

Q. Have many of those who are here committed their crimes under the influence of drink? A. I do not think there is a large proportion of those who come in here who have committed crime under the influence. You will find more of them in the Central Prison; burglaries and forgeries are crimes that require skill on the part of those who take up criminal ways, and generally are offences committed by the men when they don't touch drink. When a man conceals a crime deliberately, he is not as the Irishman says "on pleasure:" knowing what drink is he refrains from it for the time until his plans are executed. Apart from that, the man who sets himself to commit such crimes as burglaries and forgeries will not as a matter of precaution commit the crime under the influence of drink. An expert criminal will tell you that he does not associate with men who have anything to do with liquor or women.

Mr. JURY.

Q. I would like to ask the warden whether he has studied the sociological aspect of this question. You know there are a number of followers of Bellamy who argue that it is the conditions of our social system that give us our criminal population? A. I have not given much attention to that, but I have no confidence in such pleas or theories at all.

Q. Have the failures in the struggle for life anything to do with the production of crime? A. I have said that the want of employment is one of the causes.

Q. Then these men are not really of criminal disposition at heart? A. No.

Hon. Mr. DRURY.

Q. Have you any reason to think that in the Province of Ontario a good many go to your institution because it is impossible for them to earn an honest livelihood? A. No. I have no belief in that.

Hon. Mr. AIKINS.

Q. It has become of immense importance that we should, if possible, ascertain how much of crime and misery is really due to intemperance. It is frequently alleged that intemperance is the cause of all crime, but you have told us that you do not think the intemperate class leads directly to a great deal of crime. Have you ever endeavored to ascertain how young fellows, sons of respectable parents, farmers, merchants, mechanics and others, drift into criminal ways, whether they attribute their

downfall to drink or to other causes. It is of very great importance that we should ascertain what are the causes of their falling into criminal ways, and by what process they become criminals? A. I think drunkenness and intemperance is secondary in the production of crime. The social conditions and environments of young men have a great deal to do with it. I will take a young man going from the country to the city; going to college to study for a profession. His training has been good at home. He becomes associated with others; there is a little bravado about him; he does not want to be behind another fellow in the sports of the day, or anything else that may be going on. He does not think of drinking anything until he associates with fast young men, but his habits demand an increased expenditure and he begins to be a little extravagant; whatever it may be that causes him to go wrong, it cannot be at the outset anything criminal at all. Perhaps he thinks he should wear as good a suit of clothes as that other fellow, his father being well to do. He begins to move in a higher and more exalted social position than he formerly did. Probably he is introduced into society; he finds fellows putting on airs and he does the same. He drifts into expensive habits, he goes into billiard saloons and plays billiards, then he plays cards, not the same innocent games that he used to play, but games involving the losing or the winning of considerable sums of money; perhaps he drinks a glass of beer and a glass of wine, and so he drifts into intemperate habits. By and bye his means becomes straightened. Having cultivated these extravagant habits he cannot give them up. He wants money, no matter how he gets it, and thus he commits the crime for which he is sent to the penitentiary.

Q. Don't you think that where you often hear of embezzlements, in a good many cases women have to do with it? A. I believe it is the case in a good many instances.

The Chairman.

Q. What would be your method of treating those constantly committed to our common gaols for being drunk and disorderly? A. Keep them in the gaols for long periods.

Dr. Rosebrugh.

Q. What view do you hold as to the efficiency of Penetanguishene Reformatory? A. I can only say that every boy who comes from that institution to the prison is the very worst type of prisoner.

Hon. Mr. Anglin.

Q. Have you many coming here who have passed through that reformatory A. We have got a few.

Q. How many? A. Well, I cannot say. I have two or three in my mind now. I can say several.

Q. Have you one at present or more than one? A. More than one. These men have drifted from the reformatory to the Central Prison, and from the Central Prison to the penitentiary. I merely say that those who have come under my notice have been a bad lot. I have, of course, formed no favorable impression of that institution, judging simply from the men who have come from it. Of course, you have to understand that a boy before he is sent up there is thoroughly irreclaimable. He would be one of the worst young scoundrels you could get. I have a case in my mind now, a young fellow sent from the city not 21 years of age; I have not the slightest hopes of him, humanly speaking; he is a bad boy; the only way of dealing with him is by adopting some system of solitary confinement; when with others he is deceitful and hypocritical.

Mr. Jury.

Q. Would they not use the same hypocrisy under the cellular system? A. Possibly they might, but it is better to run the risk of being deceived than not to give a man a chance.

Q. The reason I ask the question is because a good many have such a holy horror of such kind of treatment? A. I am a thorough believer in the efficacy of solitary confinement throughout the whole period of incarceration as a means of reclaiming a man. I have a man confined to a cell; he is here for three years. I put him into a cell and treat him well. That man may, or may not, be a hardened criminal. Assuming that he is not a criminal, he does not associate for the three years with anybody; he knows nobody but the officials who visit him; he has time for reflection and for study. At the end of his term he comes out and he is not known to any inmate of the prison as having been a prisoner. He is therefore never afraid to meet a man who has been associated with him in the penitentiary. I know of nothing that has a worse effect upon a prisoner when he goes outside.

Dr. ROSEBRUGH:

Q. You think the good effects upon the man morally from solitary confinement will more than counterbalance the bad effects mentally and physically? A. I do not believe there are bad effects mental or physical. The mental effects are nil so far as solitary confinement goes. A man when shut up in a cell will say "I cannot stand this, I will die," but after a day or so he gets used to it, and if you go to him then and ask how he is getting on, "first rate" he will say.

Mr. JURY.

Q. Have you any provision for recreation? A. Oh, yes, we have provision for outdoor exercise.

Q. Individually or collectively? A. Individually.

Q. You have heard of what they call the silent system in the English prisons? A. Yes; we tried to enforce the silent system here, but we found it impracticable.

The CHAIRMAN:

Q. You have visited the Elmira Reformatory and observed its working and results; will you give the Commissioners your general reasons for approving of the system carried on there? A. The reasons I approve of "Elmira Reformatory" for young men are so patent to everyone who has visited it, that I do not think it necessary for me to enlarge upon them. It requires to be visited and *all* its details of management personally looked into in order fully to appreciate the benefits of such an institution. Its educational advantages—mental, moral and industrial—tending to re-create, as it were, the entire man, encouraging him in all these ways to get out of himself, helping to self-reliance and inspiring hope, are among the many reasons why the institution commends itself to me. Of course, the indeterminate sentences with parole, and oversight after liberation, are adjuncts necessary. There can be no proper reformatory for young men, where these educational advantages, associated if you please with discipline of the strictest kind—military if you like—with superintendency firm, humanitarian and hopeful—genial, patient and forbearing, with as many elements as possible which go to make up a Christian gentleman, giving no uncertain sound as to Christian morals—but why enumerate, you see what I mean! These in a general way are my views. The "Elmira" has these, as also the "Huntingdon" reformatory and some others of like type, giving the most satisfactory results. There is large expenditure, but in the end it pays in the truest sense. I have recently visited again, these two excellent institutions, made myself as familiar as possible with their working, and left them more than ever impressed with the good work they are doing. They are bee-hives day and evening. Why not go and spend a few days at each, *leisurely* examining them, a transient visit doesn't amount to much. I hope the way may be opened for such an institution in Ontario, and that very soon, and if the Prison Commission do nothing more than lead to it successfully a good work will be done.

KINGSTON, 16th July, 1890.

Present :—J. W. LANGMUIR, Esq., Chairman; Hon. CHAS. DRURY, Hon. T. W. ANGLIN, Dr. ROSEBRUGH, A. F. JURY, Esq.

LOUIS W. APPLEBY, Belleville, called and sworn.

The CHAIRMAN.

Q. You are the keeper of Belleville gaol? A. Yes. I was appointed to that position nine years ago last April.

Q. Does your observation lead you to believe that the mixing up of prisoners has had anything to do with the spread of vice? A. I think it has had to some extent. I have thought a great deal on the subject, although I hardly feel that I am in a position to give a correct opinion about that. I think there are classes of people in the gaol sometimes that these associations would have a contaminating effect upon. We have boys for instance, I find sometimes that the men give them bad advice, but of course some do the reverse—give them good advice. I have overheard one criminal trying to instruct another in criminal courses. A burglar would tell another man the different crimes he had committed and how he had committed them; the safes that he had cracked and the houses that he had broken into. I think they were telling the truth sometimes, and sometimes that they were bragging a great deal about what they had done. I can not say that I have ever heard experts in crime advising or instructing youths or boys in criminal ways. I have known a man who was a very bad criminal, as bad as any who have come under my notice, give young men advice of an entirely different character, showing them as an example what crime had brought him to. As a rule they do not advise younger men to follow a career of crime. I think there is a great deal more bad instruction given in the police court where young people assemble and listen to the cases that are being tried.

Q. Have you heard prisoners express any opinion about Central Prison treatment? A. I have heard it said that they would rather take three or four years in the penitentiary than two in the Central Prison. I think that the establishment of the Central Prison has accomplished good. I think it is a means of keeping many of these prisoners from certain crimes; they dread a term in the Central Prison.

Q. Do you think that there is a necessity for the establishment of a poorhouse in the county? A. Yes; because there are lots of people who have no home, but who are sent to gaol, although they have committed no crime. I do not think that they ought to be put with these others, nor should they be classed under the head of vagrants.

Q. If you had a poorhouse for the poor sent to your gaol, and for the weak minded who are not proper subjects for asylum treatment and for a certain class of vagrants, could you have such a classification of the prisoners remaining as you could term nearly perfect. A. Yes; I think so.

Mr. JURY.

Q. Have you many tramps here? A. We are not bothered much with tramps. We get a young man and the probability is that he is a tramp, but we serve him with bread and water and he goes after his night's rest.

The CHAIRMAN:

Q. What would you do with those who got committed for drunkenness five or six times? A. I think it is a disease that a good many can't help. I think that the men are more to be pitied than punished. I have a good deal of sympathy with them and I don't think I would like to send them to the Central Prison. We have one with us now who has been in more or less three or four years, and the magistrate has given him two months.

Q. Are people of this class generally supporters of families or a charge upon them? A. They are more frequently a charge upon them. This man supports his family when he is sober. I think that we ought to have an asylum for habitual drunkards of that class. Where a man is so far gone that you cannot possibly reform him at all, he certainly must be locked up. He should be locked up for an indefinite period in extreme cases. I have observed men sentenced to imprisonment for drunkenness who have come out of gaol again and relapsed into their former habits, and I have known men to remain sober as long as eighteen months who have after that length of time given way.

Q. Have you had many boys who went to the reformatory and who came back to you again? A. Yes; and they were hard cases when they went there and hard cases when they came out.

Q. What in your opinion are the chief causes of crime in the Province of Ontario? A. That is a broad question. I attribute crime to drunkenness, idle habits, ignorance and illiteracy—these different causes. A good deal is hereditary. I have known cases in which crime has come from father to son and mother to daughter. There are certain cases in the gaol which I attribute to the children falling into crime owing to the habits of the parents. Partly inherited and partly the habits of the parents.

Q. Do you think a very considerable number of our criminals have been brought from the old country? A. Oh, yes: I have learned this from enquiries I have made in gaol. Boys and girls have told me that they came from the old country. Some of them have come from the Marchmont, an establishment in Belfast. As far as I have noticed they are in a good general state of health. A good many of them have done well, but I cannot go into this matter.

Mr. Jury.

Q. In reference to those committed as vagrants, do you find that they are deserving poor? A. Yes; in most cases. Some are unfortunate and incapacitated by ill health and old age from work.

Q. Have you found any decrease of crime or improvement since you have had a better classification? A. Yes; our committals have not been half so numerous as they were before.

The Chairman.

Q. Are you in favor of the county gaols being continued as they are under county councils partly and under the government partly. A. Gaols cannot be managed properly under a system of dual control. You see we have the inspector, we have the county council and we have the government. Until they are brought under one head I do not think they can be satisfactorily managed. Take my case: two or three of the county council think that this or that should be done and what position am I in. I cannot afford to quarrel with the county council. For one thing they do not give me enough salary. They say $600 is a good deal to pay Appleby for looking after these fellows. They try to run things as cheaply as possible.

Dr. Rosebrugh.

Q. If the government had absolute control would there not be a better opportunity for an efficient officer being promoted? A. Yes. My opinion is that the gaols should be classified. A gaoler getting $600 a year, should, if the inspector thinks him deserving of promotion, have an opportunity of going to a place like Toronto where the salary is $2,000. There should be various grades of gaolers, first class and second class and so on.

The Chairman.

Q. If your gaol was used simply for the custody of persons awaiting trial could you in your present structure so arrange matters as to have the prisoners kept from communicating one with another. A. I do not think I could to any extent. I don't approve of persons waiting trial being kept in separate confinement, for I think as

regards them it would be a great hardship. I have had some experience of good respectable men going into gaol, committed for trial and who were afterwards found to be innocent, and it would be exceedingly hard upon them. I have known instances of men who would beg and pray to be allowed to go with other prisoners rather than be shut up by themselves It would be hard upon these.

Dr. ROSEBRUGH.

Q. If you had your choice of a room by yourself with a book or a newspaper or something else to read, or of being compelled to associate with roughs what would be your preference? A. There are some of course to whom much association would be a punishment.

Mr. JURY.

Q, Do you think that the gaolers should have the appointment of their own turnkeys? A. If there is any vacancy I know our sheriff would not appoint anybody without consulting me, but I can conceive a difficulty in placing a turnkey under a gaoler where the latter does not think he ought to be appointed.

Q. You have very few tramps in your gaol? A. We have not many. My idea is that they ought to be made work, and work hard, except they are old men and cripples.

Q, Do you think these tramps are chiefly Canadians or Americans? A. They are Old Country people a good many of them.

Sheriff HOPE, Belleville, called and sworn.

The CHAIRMAN.

Q. When were you appointed sheriff? A. In 1881, my profession is a doctor.

Q. What do you believe to be the chief cause of crime in the Province? A. It strikes me that want of education is the chief; want of education—ignorance, leads up to other things. The next I think is intemperance—excessive drinking. Before I came here I called upon the police magistrate and asked him how many pupils in the public schools had been brought before him for crime. From what he said I drew the inference that the present educational system is not satisfactory. I think that only a very infinitesimal number would be reached in the way of industrial schools. I think in connection with this it would be well if steps were taken to compel children to attend school. I know that the difficulty is with poor families, where the children would be able to do something even before they are thirteen years of age, where they might be of some assistance to their families; but in the cases I refer to I know that steps should be taken to see that children go to school.

Hon. Mr. DRURY.

Q. Would you be in favor of the Board of Trustees having the power of enforcing this? A. That is a very nice question, I think it should be left to some judicial person. the judge or magistrate, that would be preferable to the Board of Trustees. The police magistrate said that in nearly all cases the children that came before him were truants from the public schools.

The CHAIRMAN.

Q. Do you believe that crime is hereditary? A. I think to a certain extent it is but not to the extent some allege. I think the offspring of profligate parents if removed from evil surroundings at an early age may be equal to those of healthy parents.

Q. Do you think that marriage is at all a preventative of crime? A. I think it is. I do not regard marriage as a failure. I think it would be a good thing for many if they were married. When a man has the responsibilty of a family upon him he is as a rule more careful as regards his conduct. He has more vertebrae and does not fall so easily.

Q. Do you think that the association of prisoners in gaols, through imperfect classification leads to the spread of crime? A. I have had some fifty years experience having been gaol surgeon for a great many years before I was sheriff, and I think that the majority of criminals who have gone out of gaol have been improved morally and physically. Their evil habits mostly have been those of drinking, although in some instances their record may have been bad; but I think the gaol in the majority of cases improved them. I have come to the conclusion however that a better classification might be of great benefit.

Q. Do you hold the belief that inebriate asylum treatment would do much good to habitual drunkards? A. I do not. Toronto alone would fill an inebriate asylum in six months, and moreover I do not believe in the treatment. I have known young men of 22 or 23 being sent to these places and they have simply been taken from one stage of intemperance to another by the use of narcotics. I have visited the inebriate asylums in New York State, and I have spent a couple of days continuously there and I am not at all favorably impressed with the results. They make statements claiming to have effected cures; well they may be correct but I think the whole system of inebriate asylums a farce. You want more central prisons, that is the remedy. Those who wish inebriate asylums should have to pay for them.

Mr. Jury.

Q. People who go to an inebriate asylum are generally those who wish to be cured themselves are they not? A. Well, sometimes their friends do so.

The Chairman.

Q. I noticed last year you had committed as lunatics 17 prisoners; could the mild cases have been properly cared for in a poorhouse? A. I am not in favor of a poorhouse.

Q. You have had a very good class of municipal councillors in Hastings, would you prefer that the gaols should remain under their control as they are now, or would you recommend entire Government control? A. I have not given sufficient thought to that question. One thing I should like to see, our gaol officers paid more than they are now. I have spoken to the councillors individually and collectively on this subject and they promised to do something.

Q. Do you believe that better management would be secured if the gaols were taken out of their hands altogether? A. If all the county councils were like the county council of Hastings I do not.

Hon. Mr. Drury.

Q. What wages do you give the turnkey? A. He gets $450.

Dr. Rosebrugh.

Q. We find on looking over the returns that quite a number of boys are sent to gaol for trespassing on the railways and stealing rides; do you think this is a proper punishment for this class of offenders? A. I do not; but the evidence I have already given will show you, coming as it does from the police magistrate that boys who are regular attendants at school are never charged with these offences; these offenders are the truants I have already spoken of

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Wm. A. Patterson, Gaoler, Picton, called and sworn.

The Chairman.

Q. When were you appointed gaoler? A. 14 years ago.

Q. Do you think frequent committals to the common gaol for drunkenness do much good? A. I could mention one or two cases in which they have done good. I can tell you now the case of a young fellow who was benefited by it, but as a general rule the effect is the other way. The young man I refer to would get drunk and be arrested on

the Saturday night, and remain over Sunday in gaol. He had enough of it though. I met him the other day and he asked me "Do you have many in gaol now?" I said "No, I am missing you." He said "You have had me in for the last time, you won't find me there again."

Q. What would you recommend for those men who are frequently committed for drunkenness? A. I do not know. It would be a hard question to answer. In the case of those who have come in several times I should favor confinement for a long period, but not for second offences. I think ten day's sentence for first and second offences would be better than thirty.

Q What are your views in regard to the governmental control of gaols? A. I would be in favor of the Government taking the control out of the hands of the county councils. Speaking generally, I think as regards nine out of every ten cases they would be conducted better as far as supply is concerned, and repairs. It is a very hard matter indeed, to get the county councils to repair the gaols. There is a wall in connection with our own gaol that has been in need of repair for years. It would, if attended to in proper time, have cost very little, but it was put off from time to time, and the council saying that they could not afford it; now they have let the wall get into such a state of dilapidation that it will cost over $200 to fix it. There was another difficulty over the zinc for a cooking stove.

Dr. Rosebrugh.

Q. When the temperance legislation came into operation in your county, did you observe that this had much to do with reducing the number of criminals? A. No, I do not think so. When the houses were shut up I think we had more drinking, because men would carry whiskey round in their pockets. They were to be seen frequently in the streets so drunk that they could scarcely walk.

Q. How is it that there was more drunkenness and fewer commitments? A. We have only one constable, and the constable cannot be all over at once.

Q. Do you think that the passing of a Prohibitory Act would exercise a beneficial effect upon the young? A. I do not think so.

James Gillespie, Sheriff Prince Edward County, called and sworn.

Hon. Mr. Drury.

Q. What was the date of your appointment, Sheriff? A. It was at the time Mr. Blake was Premier, 1871 or 1872.

Q. Is the accommodation in the gaol sufficient to enable you to secure proper classification? A. It has been so far. We never had in our gaol any notorious characters, with the exception of two who were hanged, and they were not hardened criminals before they committed the crime for which they were executed.

The Chairman.

Q. As to Governmental control of the gaols, what are your views upon that question? A. I think the gaols would be better under the control of the Government. My reasons for saying this are, that the county council are elected from year to year, and I find that they are very close-fisted and very penurious in regard to the repair of the gaols; and as far as salaries are concerned, I have had almost to threaten them in order to get my turnkey's salary raised to a sufficient amount to keep him from starving. The county council voted him $250 a year for his services. Upon that he had to keep a house and support his family I had great difficulty in inducing them to increase the amount to $300. Some of the members said that they could get men to work on their farms for $150. However, they gave him $360 eventually, but that is a very small salary. He is a very honest man and efficient officer. The gaoler only gets $400, but he has a furnished house, fire-wood and light. The turnkey gets nothing but his salary.

Q. Do you think that the discipline of the gaol is injuriously affected by such municipal action? A. Oh, the county council has done very well as regards that. When I want supplies of clothing and things of that kind they give me power to obtain all that I require. The gaoler has more trouble when he wants to get repairs done. They want to keep things as low as possible, because if there is any increase in the expenditure they are afraid they will be kicked out when they seek re-election.

Q. Do the removals to the Central Prison improve your means of classifying the prisoners? A. No. The most trouble that we have had has been with prisoners belonging to the class that has been brought out from England. We have had more of this class than of any other boys.

Q What is their character? A. Natural thieves and incendiaries. We have one chap who has been in our gaol who was sent to the Central Prison three or four times. He was brought out by an organization and was put on a farm, and he no sooner gets out of gaol than he goes stealing again. He is a very bad boy. We have had several cases of this kind.

Q. Are you in favor of the establishment of a poorhouse? A. It would keep the different townships from getting rid of their paupers by sending them to the county gaol. They get the magistrate to commit them as dangerous lunatics or something of that kind. We have had several cases of that kind. One man called * * * found his way into the gaol. He was sent by the reeve out of the township where he resided. He was in a state of complete destitution, and had not even clothes to cover himself. I wrote to the reeve and told him his condition. I got the gaol surgeon to give him a certificate that he was not a fit subject for gaol, and sent him out, gave him warm clothes and boots, and the means of going to the place he came from. They allowed him to wander about the streets of Millford until some humane person took pity on him. Then they sent him back to the city, and we found the poor old man shivering and almost frozen to death in the streets one morning. We got up a subscription for him and raised $22. The constable sent him with that amount to his wife. After that they opened their hearts and allowed him $1.50 until he died. That man was committed as a dangerous lunatic, and when he was examined the medical man certified that he was not insane.

Q. You have a population of 22,000, in the county of Prince Edward with some towns and villages where the boys are supposed to be the same as other boys. How do you account for it that there is not a single commitment of a boy to gaol? A. We cannot account for it any more than that I think that they are well brought up and well cared for by their parents, who educate them and send them to school regularly.

Q. Are the police authorities lax? A. I do not think that there is any reason for the police interfering..

Q. Are the drunk and disorderly classes of a kind that are likely to be at all benefited by gaol treatment? A. Very few of them. I think the best thing for those hardened ones would be the Central Prison.

Q. Do you find that there is a dread of the Central Prison on the part of criminals? A. Oh, yes, great dread. They would far rather go to the penitentiary than to the Central Prison.

Q. What is your experience of the improper classification of prisoners in gaol? A. In my experience we have not had any of the worst class of criminals.

Q Have you had any boys sent to the Reformatory who have come back again to gaol? A. No. There was one who ought to have come back but he got away again.

Q. Was he one of the imported boys? A. No, but his parents were English.

Q. What is your experience of those boys that are brought out by societies from the old country? A. I have known some of them to turn out fine, smart men.

Q. Are the drunk and disorderly classes kept at hard labor? A. Not many of the class remain long in gaol. On busy days, such as the 12th of July, they get drunk and are arrested, and are fined and imprisoned. They generally pay their fine and go about their business. I do not think it is wise to run a man into gaol who is overcome on such occasions by liquor. We have only one policeman who has some auxiliaries on busy days. He gets a certain proportion of the costs of the conviction. Altogether a man may be made to pay $3 50 costs, and $2.00 would perhaps go to the constable. I think the constable ought not to be dependent upon the fees he would get by taking a person into charge.

Q. Then the county constable is paid by fees? A. He is paid a salary and gets the fees in addition. He is paid $400 or $500 a year as chief of police, but he is the only one there is.

Q. Do you think that this system of arrest has a deterrent effect? A. I do not, they simply get angry and take more drink.

Q. What do you believe to be the chief cause of crime? A. I think a good deal of it is hereditary, as well as a good deal of lunacy—drunkenness, idleness and ignorance, have something to do with it. The percentage of children that do not attend school is very small, in fact, I do not know any children in our neighborhood who don't go to school. I think a great fault of parents is in allowing their children to run about too much between the ages of seven and seventeen. A boy forms his habits in that period of his life. If he is kept industrious and not allowed to run about wildly, then a boy, in all probability, will turn out well, but if he is allowed to be idle and to loiter away his time he generally turns out a tramp or a vagabond, that is my experience.

Z. A. VanLuven, Gaoler, Napanee, called and sworn.

The Chairman.

Q. How long have you been gaoler of Napanee? A. About nine and a half years.

Q. What are your views about the mixing of prisoners in gaols? A. I think the mixing has a bad effect. Cases have come under my notice where prisoners told each other stories of what they had done when committing crimes.

Q. How many of the drunk and disorderly characters, of the vagrants and of the mild insane that are committed could be cared for in the poorhouse? A. Nearly all of them. All the vagrants are not tramps; some are honest poor people, mostly old and unfit for work.

Q. Then if these were sent to a poorhouse, or to a workhouse branch attached to the poorhouse, very frequently you would have no prisoners at all? A. That is so.

Q. Have you any means of religious instruction in your gaol? A. No. We have had several clergymen coming in, but they did not care to respond.

Q. Have you a library? A. We have not.

Q. Would any of the prisoners that are left on your hands after the worst cases have gone to the Central Prison be fit for street work? A. I think some might.

Q. What are your views about taking the control of gaols out of the hands of the county councils? A. There would be a uniformity of system which I think is very desirable; the whole of the gaols throughout the Province would be managed alike, and when we required anything done we would be more likely to have it promptly carried out. The change, I think, would have a good effect. If the inspector came round and found a wall falling down he would no doubt put it right.

Q. Are your requisitions frequently laid aside by the councils and not attended to? A. Very much so. I will just relate an incident which will enable you to judge of the difficulty we have sometimes to contend with. Some years ago I was laid up with typhoid fever. I was so ill that the doctors actually gave me up; the fever was caused they said by the defective drainage. After I recovered I asked the council to attend to this defective drain, but they would do nothing. Things went on until I got the inspector to report against the drainage. The drain, as a matter of fact, was totally stopped up; the inspector recommended that the work should be done forthwith. I brought the matter then before the council and it ran on until this spring. The accumulation of filth was incredible, but we have had the work accomplished at last.

Q. Did the gaol surgeon make any representations respecting this? A. No, he did not. He is an old man and he does not pay very much attention to the wants of the gaol.

Q. Would you recommend the cellular system for prisoners waiting trial in preference to indiscriminate association, under which sometimes a servant girl would require to associate with a prostitute? A. I would, but in the majority of cases I would not. I certainly would not in all cases apply the cellular system. I would be in favor of this treatment in a sufficiently large cell. I do not think I would use the system for any men waiting trial.

Q. How many separate cells of this large kind would you require to enable you to carry out this kind of treatment? A. Oh, I do not know. I would require a new corridor altogether. There would have to be an addition put to the gaol and seven or eight cells provided with separate entrances.

Hon. Mr. Drury.

Q. What in your opinion is the chief cause of crime? A. My opinion is that the training of children has a good deal to do with it at the start. Children who are homeless and left on the street to provide for themselves grow up in evil ways and fall into drunken habits.

T. D. Pruyn, Deputy-Sheriff of the Counties of Lennox and Addington, called and sworn.

The Chairman.

Q. How long have you been deputy sheriff? A. About eighteen and a half years.

Q. Is your gaol large enough practically for all purposes? A. Yes.

Q. But if you had removed a number of drunk and disorderlies and vagrants, would you not be able to make a better classification? A. Yes.

Q. Are you in favor of the establishment of a poorhouse? A. It would enable us to improve the discipline of the gaol greatly.

Q. Do insane prisoners upset the discipline of the gaol? A. They do to a large extent; they keep other prisoners awake by the noise they make.

Q. Have the effects of improper classification got to be a serious evil in your gaol? A. I can not say that it has, because crime is not rampant in our county. I can imagine that under another conditton of things it would be bad.

Q. Do you send quite a number of criminals to the Central Prison? A. Quite a number; we sent three last week, and of those that are left some are physically incapacitated for work.

Q. Did you ever know of the case of a man who was sentenced to the common gaol for the first offence being removed to the Central Prison? A. I think so. I think that when the Central Prison was inaugurated they were short of hands and they took all prisoners who were sentenced to over three months imprisonment to the Central Prison.

Q. Are you much troubled with tramps or vagrants? A. No, we don't encourage them to come.

Q. Do you think it would be advisable to put men who have been committed three times as drunk and disorderly on the street to work; would it have a deterrent effect upon them? A. Yes, it might do them good.

H. C. CORBETT, Gaoler, Kingston, called and sworn.

The CHAIRMAN.

Q. When were you appointed gaoler? A. In 1865.

Q. What conclusions have you arrived at in regard to the system of cellular confinement? A. I think in many cases it would be beneficial. I would subject to it men committed for trial for first offences, and so forth; and men who are amenable to reformation. I would separate them from the other prisoners.

Q. Supposing a man were awaiting trial, would you place him in a solitary cell? A. There is great injustice done to untried men by the present system of treatment. They get the lowest dietary on the list. A man who is awaiting trial does not get as good a diet as a sentenced prisoner, and he may be three months waiting trial and afterwards be acquitted. Many of them are actually punished for crimes that they have never committed. They get less food than the condemned or habitual criminal.

Hon. Mr. DRURY.

Q. I suppose it is because when a man is waiting trial he is not put to hard labor? A. I think untried prisoners should have better cells and better food.

The CHAIRMAN.

Q Do you think, taking everything into account, it would be worth while to introduce the separate or cellular system into our common gaol system in the Province of Ontario? A. I think the whole foundation of the county gaol system is rotten from the bottom upwards. It is no use attempting anything of the kind as things are. There is too much division of authority. I think that the only satisfactory solution of the matter would be for the Government to assume complete and absolute control of the whole of the gaols of the Province. I am not an advocate of centralization altogether, but in criminal matters the control should be direct from the Crown and everything else should follow, because the Government with a practical inspector would know the requirements, especially after this commission, and the Government could act promptly on the recommendation of the inspector. As to the constructing and re-constructing the gaols, I would re-construct the present system altogether; that is about what would be required. I do not think that the county councils would be very anxious to do any re-construction. I am speaking, of course, in general terms, and my remarks do not apply to our own council.

Q. Would you favor the re-construction of gaols, by the municipality or by the government, to meet the requirements as regards classification, or you would favor the establishment of other prisons in the province on the pattern of the Central Prison? A. I quite think so. I think another prison would be preferable. I think the prisons should be classified as well as the prisoners. I would be in favor of classifying the gaols. I have several schemes for that already.

Q. Assuming that the government took the common gaols of the province under their own control, would it be feasible to retain say, Napanee, Belleville, Brockville and Picton, as places for prisoners pending trial, and make Kingston a place for sentenced prisoners? A. That is very much the scheme I have advocated myself. I have had a scheme in my own mind of grouping the counties for classification purposes, that is what I would call a classification of the gaols as well as a classification of the prisoners. I would provide for the cost by making one of the prisons self-sustaining, where a certain class of men would be put to work producing certain commodities, and the products of their labor would recoup the government for the transfer expenses. I think that the Kingston gaol after a very moderate expenditure would answer all the requirements of a prison for this district for short-sentenced prisoners, and the county gaols could be used for the prisoners awaiting trial.

Q. You think that the separate or cellular system could be used advantageously for prisoners awaiting trial, and also for prisoners convicted for first offences? A. It would have a deterrent effect I think.

Q. Would the system have a reformatory influence? A. I think so, but one can only speculate over that; it is difficult to get any actual proof.

Q. Can you inform the commission whether the association of various classes in your gaol has had an evil effect? A. Yes, I know it has a bad effect. I have seen, for instance, prisoners about seventeen or eighteen sent to gaol for first offences who have had to associate with hardened prisoners. I have noticed these boys after their term of imprisonment have expired associate at the street corners with the degraded characters that they met in gaol.

Q. What has been the result of the Central Prison treatment on those sent from your gaol? A. I cannot say in all cases. I know that they dread the Central Prison, but there have been many of them "repeaters."

Q. Do you think any course of treatment would prevent "repeaters"? A. If the wholesome and strict discipline that I understand is carried on at the Central Prison will not prevent their relapsing into crime, I do not know what prison discipline will accomplish, except such a sharp and severe course as the use of the lash.

Q. What treatment would you propose for the drunk and disorderly classes who are constantly coming under your care? A. If a man is married the effect of sending him to gaol is to inflict an injury upon others. I would make the punishment heroic. If he shewed no desire to reform after one or two or three terms of imprisonment, but preferred to lie idle in gaol, why, I would flog him, and repeat the flogging again until he was made a better man. I think you ought to punish the man who commits the crime, the punishment ought to follow the crime. It may be a very old-fashioned method, but I don't believe it is one bit of good sending the men to gaol.

Q. Do you think any considerable number of these drunk and disorderly characters could be reclaimed by inebriate asylum treatment? A. My idea is that there should be an inebriate ward in every gaol, where young men whom the gaol surgeon thinks amenable to treatment, such as that of an inebriate asylum, could be dealt with. I think they ought to be placed in that inebriate ward for first offences.

Q. Do you think this could be done as well in the gaol or in the Central Prison as in an inebriate asylum? A. Why not The gaoler who has charge of these men would act under the directions of a qualified practitioner.

Q. Has gaol treatment as it exists now a deterrent effect upon the drunk and disorderly classes? A. I cannot say that it has; many of these men have been in gaol a dozen times. For instance, I locked up a man this morning who has been in no less than twelve times.

Q. What do you think of putting a man to work on the streets when he has been in gaol a great number of times; say four or five times? A. I certainly think that he would not feel the degradation of being put on the streets to work if he has been committed so frequently as that.

Q. Do you think the degradation would be any better than flogging? A. Oh, flogging stands out alone by itself.

Q. Would long confinement, say for periods of two years in the Central Prison, for drunkards who had frequently passed through the common gaol have a good effect? A. It should have a good effect; in two years time a man compulsorily kept away from liquor and forced into regular habits, regular diet, regular sleep, ought certainly to be benefited.

Q. Are quite a number of people who come to your gaol proper subjects for a poorhouse? A. Yes. Take that woman you saw in gaol this morning, who was in the Mercer reformatory, and who is sentenced again to the Mercer reformatory, that woman ought not to be sentenced to gaol at all. In a case like this where the woman is weak-minded, I think she ought to be subject to some restraint. I would not allow her to be at large at all. It is only propagating more evil to let her out; she is certainly an improper subject for a gaol, however, and it is improper to have her two children in the gaol with her. There are a large number of the prisoners, probably out of the 254 that we received last year, there are fifty who should be sent to the poorhouse.

Q. Have you any religious instruction in the gaol? A. The members of the Young Men's Christian Association visit the gaol every Sabbath morning, and on Sunday afternoons between two and three o'clock the Rev. Mr. McMorine preaches. We have no chaplain, the prisoners are assembled in the large room that you were in this morning, and there the services are conducted.

Q. Have you a library? A. No, but I have made several attempts to get one.

Q. From your observation, what has been the result of treatment in the reformatory for boys? A. Well, I have had a great many recommittals.

Q. Do you think that another system should be adopted in respect to children who have not become criminals in the proper sense of the word—any other establishment that would prove more effective in reclaiming the young? A. I think one of the greatest works of the day is an industrial school. I would have industrial schools in certain localities for children who have not committed crime, but have got beyond the control of their parents, and for the children of parents who shewed by their own conduct that they were improper custodians of children. I would break the parental authority when it would be for the benefit of the child to do so. In many cases they are forced into evil by the vicious example of the parents. The child's education is neglected, its morals are neglected, and it is allowed to grow up like a weed in the human garden. I would be in favor of taking it away from the parents in such cases and placing it in an industrial school where it can be taught a trade and fitted for earning a livelihood. If men have trades they are not usually criminals. Criminals are, as a rule, men who have no proper occupation, no trade, no way of earning their livelihood; they have to steal and they do steal.

Mr. Jury.

Q. If you examine the returns of the prisons in Ontario, you would find from these returns that the majority of the prisoners have trades? A. I am only speaking from what I know. I don't find that the case with those who go through my hands. I may say with regard to these returns that we have a form that we fill up on the reception of a prisoner; there is a list of questions, and the turnkey fills up the answers. These are taken from my register. If a man says he is a carpenter he is put down as a carpenter. Some of these men have no practical knowledge of the trade that they say they have

learned. They may have worked three months perhaps as a carpenter, and they are put in the book as such; their information, however, is not reliable. I have seen a man call himself a carpenter who hardly knew how to cut a piece of wood.

Q. And you have found some who are good mechanics? A. Very few. Not more than one per cent., would I call good mechanics.

The CHAIRMAN.

Q. Have you an association here for the aid of discharged prisoners? A. No, I do not think there is any organised system. There are one or two ladies who are quite active in the matter and who take a great deal of interest in the prisoners.

Q. What do you believe to be the chief causes of crime? A. I do not know; there are so many causes. I would attribute crime to a dozen causes—want of proper home influence as regards children; want of proper moral training; allowing children to run about the streets at night; loss of parental or any other control; allowing children to contract bad habits; allowing them to grow up in crime. I think there is a great deal in the theory of an hereditary taint in crime. I know many cases where criminal parents have a criminal progeny. Last week I had in the gaol a mother, her daughter, and the daughter's children—three generations in at one time.

Q. Have you found that the associations for bringing children out to this country have imported many children of that kind? A. Two of those that were removed to the reformatory were boys brought out by these associations. We have a large number of prisoners just over 16 years of age, about 17, 18 and 19. I may say generally between the ages of 16 and 25, and a good many of them go to the Central Prison. Many of them are boys brought out by the societies; there are very few prisoners from the county of Frontenac, that is, the rural portion of the constituency.

Dr. ROSEBRUGH.

Q. Would you be in favor of compulsory education? A. I certainly would.

Hon. Mr. DRURY.

Q. Would you be in favor of an enactment to punish truancy? A. I think so. If a statute does not provide for it, it is no good. But it is a nice question, how far you ought to punish a parent for a child's truancy

Q. Have you any other suggestion that you would like to make? A. I think there ought to be some provision whereby lunatics would not be allowed to remain in gaol over a certain length of time. A great number of people who get into gaol are weak-minded and could be just as well cared for in a poorhouse. I know from my own experience that out of every 3,000 lunatics to-day, 1,000 should be kept in poorhouses and not be inmates of asylums or gaols at all. I think it is wrong to have lunatics in the gaol. There is another point that has been touched upon by other officials; that is, in regard to salary. I am in favor of Government control. I think a man is a slave when he is put in a position without any hope of promotion; there is no incentive for him to perform his duty well or to try and make his work a success and to establish a reputation. Under the present system a man has no incentive whatever for self-improvement; a gaoler is a mere slave. There is no chance of his salary being raised under existing conditions, nor is there any hope of promotion. I have been twenty-five years a gaoler and fourteen years ago I was recommended for an increase of salary. I am getting now just what I got then. That is poor encouragement. He must be a philanthropist or have amazingly conscientious motives, or a strong desire to do his duty if he is to become an efficient officer. There is nothing to encourage him to do so, and he might just as well take it easy. If the Government had control the promotion of good officers would be a great incentive to men to do their best and would certainly be productive of efficiency; for instance, in Ottawa gaol there were last year 641 prisoners, the gaoler at Ottawa gets $650, and at Whitby, where there were only 85 prisoners, the gaoler

gets $800. The gaoler of London gets only $600, while there are 1,042 prisoners. In Brockville, where there are 179 prisoners, the gaoler gets $1,000. I mention these facts to show that there is no system whatever in connection with the gaols.

Dr. ROSEBRUGH.

Q. Do you think any harm arises from bringing boys and girls up in the police court? A. I think it has a degrading effect upon the boy or girl; it gives publicity, whereas, for the first offences the matter might be enquired into privately. This would save the humiliation of the appearance in the police court which is alway degrading. When a person appears in the police court he is looked down upon, he loses heart, and often he never recovers himself.

Mrs. Chown, President of the Women's Christian Association, and Miss Chestnut, a member of that body, appeared before the commission and advocated the establishment of industrial schools.

Mrs. Chown said:

The CHAIRMAN.

Q Can you inform the commission what class of children you would deal with if an industrial school were established? A. Mrs. Chown. It would be for the poorer class whose parents are unable to look after them—the smaller children whose parents have to go out the greater part of the day. We would like to have something like an industrial school to rescue the children who run about the streets, and who are falling into crime. It is really deplorable to think of the number who go about the streets and to see how much evil arises from this cause. The father is often unable to support his family through his drunken habits, and the woman has to go out working, and perhaps this goes on for a length of time, the children meanwhile running about the streets and it may be getting into gaol. I think it would be better if the husband were kept in prison altogether than that he should at times be a burden upon those whom he ought to support. The rest of the family would do a great deal better without him. He takes his wife's money and spends it. I know an instance of a man who took the earnings of his wife, who worked hard at Christmas time, and drank the whole of them; the mother and the children were allowed to do as best they could and in such cases what can they do but run about the streets and fall into evil habits. We want an industrial school for these children, especially for the girls, and there ought to be women in charge of it who would enable these girls to learn something that would be useful for them afterwards.

Miss Chestnut said: I was connected with a home in New York where they care for children who are neglected by their parents. At that home they have taken thousands, many of them away from their parents, never allowing them to see them again. The majority of these are occupying respectable positions now. They had not less than 3,000 children in this New York institution, the Home of the Friendless. A very small percentage go wrong; they have them all followed up. The children are well cared for, and they are taught useful occupations; they are taken away from parents who are unfit to be entrusted with their care.

Q. It is stated as an objection to this system that both boys and girls become too much dependent upon others; have not sufficient reliance upon their own resources; and are too ready to fall into temptation? A. Not at all. They make it there like a child's natural home. They put the children out into families just as quickly as they can get places for them. The practice is to take the larger girls as soon as they learn to work to homes outside. While they are in the institution they go to school during school hours and they are taught some useful occupation.

Q. Have you material enough here in the city of Kingston for such an institution? Mrs. Chown: I think we have enough.

Miss Chestnut: I should like to say that many people don't like to send their children to school here because they are not dressed well enough. The child is allowed to run about and I am afraid that in many instances it falls into evil habits.

Hon. Mr. DRURY.

Q. Have you ever considered how far the authority of parents should be interfered with. It is a difficult thing for the State to interfere with a mother to the extent of taking away a child and making it a ward of the State? A. I think many of them would be only too thankful if they knew that their children were off the street because, of course, it is a burden on their minds while they are at work; they do not know what may happen to their children; they are anxious about them and at the same time they know that they can do nothing

Q. You say that it is a law in the State of New York to take children away from their parents if they are improper custodians? A. Yes, such a law was passed some years ago. We found that the children were running about with no one to look after them, on the road to destruction; and philanthropic people were unable to do anything until they got this law passed. Under its provisions they are now enabled to remove the children from their parents, to take them to this home and start them in life. The Society for the Prevention of Cruelty to Children promoted the passing of this law.

Rev. Mr. CARTWRIGHT, Chaplain of the Penitentiary, Kingston, called and sworn.

The CHAIRMAN.

Q. How long have you occupied the position of chaplain to the penitentiary? A. About sixteen years.

Q. Have you thought of the best method of dealing with the boys and girls who are children of criminals and who are liable to become criminals themselves? A. Education is a great factor in preventing crime. Anything that raises self respect has a tendency to prevent crime; any improvement in the education of children; anything that will lead to children attending school would be a great preventative of crime. I made a special reading test in the prison some time ago. I made each one read a verse. Of 618 men, 33 read without assistance, 282 could not read without assistance and 63 could not read at all. I think that ignorance is a very large factor in producing crime. I would not say that it is the chief cause of crime. The chief cause of crime, I think, is heredity. In a great many cases the habitual criminal is to a certain extent insane. The instincts of crime vary; sometimes it is dishonesty; sometimes a gratification of lust; sometimes evil propensity, almost approaching monomania. This is probably the result of the criminal being descended from criminal parents or parents who may not absolutely have been criminals, who have been dishonest, who have committed fraud but have kept themselves without the letter of the law. Heredity gives the tendency, and environment prevents any chance that there may be of an eradication of it.

Q. Taking children away from the influences of association completely, do you think that heredity would follow them? A. I think it would, provided the hereditary tendency is there. But when I speak of the hereditary tendency I speak of an invariable tendency that way. It may not manifest itself in the particular form in which it was developed in the parent. I do not say that every dishonest parent has naturally a dishonest son; but as a rule where you have got a dishonest parent, you have dishonest children too.

Q. Have you noticed many cases of children of that kind coming from the Old Country? A. There are a considerable number in the prison who have come from the Old Country prisons. But there are also a great many of our own and I think that compulsory education or some mode of compelling the children to go to school, would be an effectual method of treating these. I do not know how that could be carried out but if there is any way of forcing education upon children I think it would have a beneficial effect; if we could provide some sort of a ragged school it would be useful in a town

like Toronto. I cannot speak positively, but if our hands were strengthened by some enactment, we might be able to do something here. We had a Lancasterian school which was established by private subscription. The children were chiefly the children of the poorer classes who attended it. It was continued until the year 1875. It was kept up by a fund especially organized for the purpose, and ladies canvassed for subscriptions. In that year, however, it was discontinued, because the public schools with free education were opened, and did the work that it was intended to do. Sometimes they gave the grant that would have accrued for this purpose to the Orphans' Home, and just now the committee has re-considered how they are to employ the funds at their disposal. I think they would be very glad to have any way of employing their funds, in accordance with the principles of the trust, for the education of poor children of all denominations. I think they would require to have their hands strengthened by a law to authorize their dealing with the funds and also in the way of compelling children to attend school.

Q. We would like to have your views as to the effects of improper classification of prisoners, do you think it is a crying evil? A. I think it is. A great many of the older criminals deliberately lay themselves out to instruct young ones. I have never been informed of that by the criminals themselves, some men have told me. One would say "Although I am a thief I never tried to influence anyone else, but others do." I think as regards indecent conduct and conversation and immorality, that there is a great deal of harm done. I think that a great deal of mischief arises from the association of prisoners in the gaols and penitentiaries, and that there ought to be a more perfect system of classification.

Q. Have you ever examined into what is called the cellular or separate system? A. Yes, I think that if you could carry it out so as not to affect the prisoners injuriously, physically or mentally, the effect from a moral point of view would be very good.

Mr. Jury.

Q. I see that there are a number of cells on this principle now in course of construction in the penitentiary? A. Yes. We have something partially approaching it in the hospital system. When the men go into the hospital each one has a cell by himself, and when the chaplain visits them he sees each man by himself. I think he is much more likely to do good than when others come in contact with him, but unless you meet the prisoner in the hospital or somewhere else under similar circumstances, you cannot come into contact with him so as to bring his mind to spiritual matters.

Q. Do you think that this system ought to be extended to prisoners who are waiting for trial? A. It might; it is the loneliness of it that would make it objectionable; men partially educated or uneducated seem to be utterly unable to occupy themselves with their own society, they long for the society of others. Of course there are a few men more highly educated who sometimes get into prison and who are exceedingly disgusted with the society in which they find themselves; men mixing in good society would far rather at the outset be by themselves than with other prisoners, but after a few years their finer feelings wear off and they become almost like the others. In a few weeks or a few months they become tolerably free and easy, and talk with the other men. The disgust that they experienced at first passes away.

Q. Would you not look upon this cellular separation as punishment? A. Personally I should not do so. I think that if I were in their place I should prefer the separate system; but after associating with them probably for a time I would become used to it and would not mind the association.

Q. Under the new method of cellular construction at the penitentiary, will it not be possible for men to communicate with others in the same corridors? A. I understand that they are going to have large open spaces, with iron work preventing one from communicating with the other; and unless a man is almost standing over these barricades he would not be able to communicate with his neighbour.

Q. Do you think that they could communicate by raps? A. They might.

The CHAIRMAN.

Q. What do you think would be the effect on prisoners of the application of the indeterminate sentence? A. I very much doubt the effect of it; you see a criminal has nothing to do but think of getting out. I question the encouragement that is offered for genuine reform. The character and disposition of the warden, the chaplain and the doctor would be passed from one man to another, and you may depend that the men would take advantage of this to serve their own purposes. Unless the prisoners are kept in solitary confinement and are deprived of communication with each other I am afraid that the system would work badly. It would be a tradition of the prison how you could keep on the soft side of an officer and the men would learn from one another all the little hints as to how they could best shorten the period of their confinement. My own impression is that the indeterminate sentence would tend to bring out eye work, and that is a bad thing amongst men. At present, with the system of shortening their terms, the men who are the best behaved in gaol are the short timers, but they come back from time to time. I don't say this positively, but I think that they instruct one another as to how they can best shorten their sentences.

Q. What method would you propose for dealing with habitual drunkards and disorderly prisoners; would you send them to the Central Prison for a long period. Do you think that that would lead many of them to habits of sobriety? A. One would think it would, but I am doubtful about it; some people are very doubtful about it. They maintain that when these prisoners get out of gaol the appetite for drink which has been kept in check under restraint comes back again and that imprisonment has no effect in reclaiming them permanently.

Q. What do you think would be the most effectual way of keeping boys from crime? A. I think that training in connection with some of the schools in the country would be an advantage. Manual training is a good thing. There are boys who are deficient in educational power but whose manual tastes might be developed if there were any way of bringing them out at school I think very often in the case of prisoners that crime is the result of a man's having mistaken his avocation. He has not the heart for his own work; he does not get on and he is disappointed and disheartened I think if we had some way of employing these men, keeping them always occupied, it would have a remedial effect; but you must find them intelligent employment. I think that oakum picking and stone breaking and employments of that kind give a man a distaste for work. It would be hurtful rather than beneficial. I have not known many who have been greatly improved by such a course of industrial training for this reason: Men who have any self-respect hate the very name of prisoner. They generally don't like it to be even known to myself as chaplain where they go; they want to get rid of it altogether. The consequence is that of the prisoners who don't come back we know very little. They are not generally allowed to stay in Kingston and unless we accidentally run across them we very seldom see them. Of course some of them do get on very well.

Dr. ROSEBRUGH.

Q. Do you think it would be well to have an officer under some control, say of a voluntary body such as the Prisoners' Aid Society, to go round and visit these prisoners and see how they are doing? A. It might be useful, but a man who is desirous of leading a new life wants to conceal the fact that he has been in prison, because it is a very great hindrance to him. If it is known that he has been in gaol there are very many drawbacks to his getting on If there is a crime committed in the neighborhood he is the one suspected of it first and he is apt to be sent back upon very slight evidence. I should think that most of them would dislike very much if they thought that track was kept of them.

Q. Do you believe it would be a good thing to have branches of this society at different places to try and get these men work when they go out of prison? A. I think the greater number of the men would prefer to go on their own account There are a few who would be willing to be helped. The odium that attaches to being in gaol has a serious effect upon a man who is endeavoring to get employment. It has

also an effect upon the minds of the men that makes them more easily discouraged. A nervous man or one of a despondent turn of mind, would probably after two or three rebuffs be discouraged and put it down to his being a convict; of course something might be done for the men by communicating with employers.

Mr. JURY.

Q. Do you think there are a large number in the penitentiary who are there because they could not obtain employment and because they had no means of earning their livelihood? A. Well, a good many will tell you so. They have probably either been unwilling to work at more than one particular employment or they have no employment to work at.

Q. You say that you think it would be a good thing to find employment for these men. Do you know that every man transferred from the prison workshop to a factory is put in the place of some one who has been at work there or who would be likely to get work there? Is it not unfair to the men who are not criminals to be subjected to competition of this kind? A. I should think that an employer would prefer to keep a man who has not been in a prison or reformatory.

Q. When we are told by these men that they have been taught trades we infer from that that they have not been able to get through life at their trades, and that they have been obliged to commit crime. In that case what is the use of giving more people trades? A. I think that to give a man a trade is partly an encouragement to make him work at it, and if he is not efficient at his trade, to increase his knowledge of it would be an advantage to him.

Q. By endeavoring to procure employment for these men when they leave gaol, don't you run the risk of throwing another man out of his situation? A. I have not found this to be the case; very few employers would take a man into their employment who has just left prison, and throw an honest man out of work.

Q. Is it not a fact that in the present state of the labor market, Mr. Massey and Mr. Rathbone can get all the help they want, and if they are to take one of your prisoners on, somebody else must suffer? A. That is a question I have not thought out; I can only say I do not know, and therefore I cannot answer.

The CHAIRMAN.

Q. Do you find from your experience that in the employment of ex-prisoners, other men are displaced to make room for them? A. I have never heard of such a thing. It is quite possible that a new position might be created and no one would be injuriously affected. Men are not usually thrown out of employment unless they contract idle habits or are inefficient, or have their services dispensed with through some other reason. You are assuming that we are giving the men a better chance than other men by interesting ourselves on their behalf. The persons that we interest ourselves in are chiefly young fellows that we look upon as particularly decent and likely to do well when they leave the prison. Our object is to give such a man a fair chance, so that he shall not go out into the world handicapped with his convict brand.

Hon Mr. ANGLIN.

Q. There is a question we have asked of many witnesses: What do you think would justify the State in interfering between a parent and child? Do you think the interference of the State would be justifiable in a case such as that described by the ladies whom you heard give evidence? A. I think so far as the education of the child is concerned it would be justifiable. It is necessary to educate children to make them useful members of society, but to take a child completely away from a parent's control would be justifiable only in extreme cases. I think you ought to be very cautious in interfering in that way. Where the parent is vicious, where the training of the children is in fault, something ought to be done perhaps in the interests of the children, especially where the parents are actually training the children to crime. I should be opposed to taking children from parents who, owing to their circumstances, could not take proper care of them, except so far as going to school is concerned; I think there ought to be a ragged school where the children of such parents could be sent; that would give them a chance.

KINGSTON, 17th July, 1890.

EDWIN HORSEY, Chief Constable, Kingston, sworn:

The CHAIRMAN.

Q. How long have you been chief of police, Mr. Horsey? A. I was appointed in December 1881.

Q. When people are apprehended and brought to your station, are they kept in separate cells. A. They are not put into separate cells. We have a large room for men and a room for women, and if any create disturbances we put them into separate cells.

Q. What is your experience of that kind of confinement upon offenders. A. I should say it has a bad effect upon them.

Q. Can you suggest some better method than that in the police station. A. Yes. For youths I should say that a birching is the best thing, and I would put them in a separate place altogether. I would classify them in a sense. Those who came in for first offences I would not put with hardened criminals. We have no option but to do that now. There is great variety of character amongst the juvenile prisoners who pass through our station. For instance, boys who are sent to the reformatory, when they come down mix up in the police station with probably quite innocent boys who happen for some trivial offence to have fallen into trouble.

Q. From your experience, are the boys who have been to Penetanguishene as bad or worse than others? A. They are worse than others—they are the worst boys that we have in this city.

Q. Then the reformatory has not accomplished much for them? A I believe it is rather a school for criminals.

Q. Do many come under your observation? A. Quite a number; we had two different gangs last winter that we had to break up—all reformatory boys. There is one at present serving his time at the Central Prison; there is one who has put in his time there and is out at present.

Q. Is there any other institution or system of management which would be more advantageous for little boys. A. I should say an industrial school for a first offence, petty larceny, or anything of that kind; I would not send boys to prison. I would do as Colonel Duff, the police magistrate, usually does: He invariably asks about their parents, and he says: "I find this boy guilty, and if you wish to allow him to be whipped we will let the parents be present at the whipping. If the parents object to that I will have to send him to the reformatory." Invariably the parents prefer the whipping, and those boys I may say hardly ever come back again. We give them a dozen with a belt.

Q. Does that method apply to minor offences? A. Yes, boys who fall into bad habits through truancy.

Q. Are you much troubled with boys running about the streets at night? A. Not a great deal; we have them pretty much frightened. The policemen talk to those they see out late at night and tell them that if they are found out after hours again they will be taken to the police station and whipped.

Q. Where a servant girl is apprehended on a charge of stealing some trifling article belonging to her master or mistress, would you put her in the same room with a prostitute? A. We have to do so; there is no other way of doing. The remedy would be more room. We have now to put respectable people in with notorious toughs. We have no other place to put them.

Hon. Mr. DRURY.

Q. If you had a room sufficiently large, could you not divide it and thus effect a separation. A. Yes we could. But they are talking about removing us out of the station that we are in and they would not care to incur any expenditure in improving it.

Q. When you speak of the boys who have come from the reformatory, how old would they be? A. They run from 14 years up. Some of them may be younger. They generally have learned shoemaking, or tailoring, or something of that kind. There are one or two cases where they have taken to the trade that they were taught; but as a general rule they fall into habits of idleness and crime.

Mr. Jury.

Q. Do those boys whom you have observed learn their trade sufficiently well to be able to take their place as competent workman? A. I do not think so.

Dr. Rosebrugh.

Q. What do you think is the effect of an open police court? A. I believe it has a bad effect; it brings a large number of the looser characters there. You see them come day after day, the same class of persons, familiarizing themselves with all the details of crime. We don't allow boys there at all.

Q. I suppose it has a bad effect to bring a boy into a police court? A. Undoubtedly, but we never do it; and when we have a case of a certain kind to hear, we as a general rule clear the court.

The Chairman.

Q. What is the effect of arrest upon first and second offenders? A. They become hardened after a time and quite callous.

Q. What is the chief cause of crime in your opinion? A. The chief cause of crime in my opinion is drunkenness, and then parents neglecting to look after their children. Through not looking after their children—allowing them out at night—allowing them to run about the streets, they produce criminals; if mother and father are drunken or the father a drunkard and the mother compelled to go out to work to support herself and family the children have their own fling during the day and in the evening, and they often fall into evil courses. If we only had compulsory labor for those lazy rascals who will not work, and who drive their wives out to work while they lounge about and drink, much of this evil would come to an end. These men should be made to labor and the proceeds of their labor should go to their families. I would put them to any kind of hard labor such as stone-breaking. I would chain them in gangs, and let them work in the streets. When a man becomes hardened and will not work I would compel him to work. We have quite a number of cases where the women go and labor for the whole of the family, and the men simply lie about in drink.

Q. For that class who are constantly being sent to gaol for drunk and disorderly conduct, would you recommend long periods in the Central Prison? A. I don't believe in lengthened periods of imprisonment; I would advocate strong treatment rather than too long periods of confinement. The men might behave themselves well in gaol and make the authorities believe that they are reformed, and then relapse into their old ways as soon as they get out.

Q. What is your opinion of Central Prison treatment? A. It has a good effect; criminals who are brought up here for sentence invariably ask to be sent to the penitentiary for a long term in preference to being sent to the Central Prison for a short one. This is on account of the strict discipline and labor combined I think, and they are not allowed any privileges there; they get no rebates whatever.

Mr. Jury.

Q. Would you have some distinction made between the treatment of the men who only come in once in a year, or once in two or three years, and habitual drunkards? A. Oh certainly, I do not think that the gaol is the place for respectable people who get drunk only once or twice in two years. I would send them to an hospital for medical treatment. There are men in this town who cannot help getting on the spree once in a year or so; we invariably send them to the hospital. There are men who come to me

and say "I have been on the spree and can't get off the spree," and they ask me to run them in for a week, but I tell them "No, I will get you sent to the hospital by the magistrate."

Q. How do you remove prisoners from the station to the court house for trial? A. We generally march them through the streets. I would rather have a carriage; it would be much better.

Q. Don't you think that the indignity of being marched through the streets might be a preventive of crime? A. Well in some cases it is but in others it is not. I do not think it is fair to the innocent. There are some roughs who do not care a whit for going through the streets with a policeman.

The CHAIRMAN:

Q. Are these drunk and disorderly characters generally supporters of families or a charge upon their families? A. Quite a number are supporters of families. Many are tramps that come from all parts of the States, western and eastern, and from the other provinces of Canada. They generally appear at the Grand Trunk station, and intimidate people, demanding all kinds of things that they want from them. We send down a posse of police to arrest them and send them up for ten days. If they come back a second time we generally sentence them to $20 and costs or six months, and give them a chance to leave the city. Very few of them come back again after this. I have never found a tramp really honest in his desire to look for work. All of them pretend to be looking for work, but they will not work when it is found for them.

Mr. JURY.

Q. Don't you find that tramps who are sometimes passing through Kingston on their way to mother place are really desirous of obtaining work? A. Oh yes, but we don't interfere with them. We recognize the distinction between them and the men who go from town to town habitual tramps, and are simply loafing on the community. There is another thing we do here that I ought to mention; young people who get into trouble and are found guilty and sentenced to pay a fine of $10 and costs, or a term of imprisonment, have their sentence suspended during good behaviour. If they misbehave themselves we simply enforce the penalty. There is quite a number now that we hold suspended sentences over. The police magistrate has dealt with about twenty cases of this kind during the last six months. The penalty has been enforced in three. The effect of this is very good generally speaking.

Q. Is this done in the case of first offence? A. Not generally first offences. If it is a second offence, the person is fined and probably let off on the suspended sentence. If they remain in the city they know the effect of another committal. Then it is an advantage as regards the habitual offenders, because if we suspect them of crime, it is not necessary for us to take out an information before we arrest them, we can take them up on the suspended sentence.

Hon. Mr. DRURY.

Q. Has crime increased in your city since you became chief of police? A. No. The decrease has been quite considerable within the last year or so. In 1883 the number brought before the police magistrate who passed through the cells was 594, that includes tramps and everything else. In 1884 the number was 638; in 1885, 485; in 1886, 534; in 1887, 627; in 1888, 683; in 1889, last year, 552.

Q. What would the population be in that time? A. The population has increased wonderfully; we are a third larger than we were then.

Wm. Ferguson, Sheriff, County of Frontenac, called and sworn.

The Chairman.

Q. When were you appointed sheriff? A. In 1867. Twenty-three years ago.

Q. Are gaols better managed partly under county council and partly under Government control, as now, or ought they to be under governmental management entirely? A. I have never studied the question, but I suppose they would be better in the hands of the Government. County councils are generally very stingy, and they won't give you the accommodation for the reformation of the prisoners that you generally want. It is hard to get them to consent to any repairs and additions.

Q. Can you say of your own knowledge that there is frequently trouble in getting what you want from the county council? A. Well, not recently; there has been a little difficulty in getting what we require, but they understand things better now.

Q. Is the appointment of the gaoler in the sheriff's hands? A. The sheriff has very little to do with it, sir. The sheriff has no control whatever. He may nominate, but the Government appoints. The gaoler has nothing to say in the appointment of subordinate officers. I generally appoint them myself.

Q. Are you of the opinion that imperfect classification has a very bad effect upon prisoners? A. To a certain extent it must.

Q. Have you noticed bad results from the association of young offenders with old criminals? A. Very little has come under my notice.

Q. Since the establishment of the Central Prison, have you been able to make a better classification by the removal of the worst class of prisoners to that institution? A. I think that makes no difference; they are only here a short time. All these people are sent there from the police court. It is seldom they are sent from the county.

Q. Do I understand that the courts send few prisoners direct to the Central Prison? A. Very few: they all go to the penitentiary. It is the police courts that send to the Central Prison.

Q. Have you heard the prisoners themselves say that they would rather go to the penitentiary than the Central Prison? A. I have. They are harder worked at the Central Prison; they are very humanely and very kindly treated at the penitentiary. I think the Central Prison is pretty cruel, unnecessarily so in many instances.

Mr. Jury.

Q. Don't you think that for a man who is sent to gaol four or five times for beating his wife, it is better that he should be pretty severely punished than that he should receive this very humane and kind treatment? A. Well, I think it is pretty hard for even a man of that kind.

The Chairman.

Q. What effect do you think it would have on the gaol population if a poorhouse were established by the city and county? A. It would have the effect of filling the poorhouse with people from all parts of the county; it would be filled with people who should be at work. I do not think it would have much effect on the gaol, but it would have an effect on the taxpayers. The Roman Catholics have got an institution, and the Protestants have an hospital, so that the poor are pretty well provided for.

Q. Last year there were committed to the Kingston gaol 139 prisoners—127 men and 12 women, for being drunk and disorderly. Were any of that class proper subjects for a poorhouse? A. I have thought that there is a great deal of cruelty in connection with

this class. The police feel it to be their duty whenever they see a man a little worse for drink to arrest him and put him into the station. I have been here 64 years, and I saw ten times more drunkenness fifty years ago than there is to-day, and there were not a quarter of the arrests. I think a policeman should allow a man to go home; they should help him home, that is what they are paid for; not to prosecute decent people. I think it is cruelty to men to treat them in the way they do now. The poor man wants his glass of beer as well as the rich man. There is not a word said about the rich man going to his club to take a glass of wine.

Q. What would you do with those who have been in your gaol five, or six, or seven times? A. I do not think I would put a man six or seven times in gaol.

Q. There is another system called suspended sentence is there not? A. Yes. The Judge observes that in many cases. I think it does a great deal of good upon young lads. Some of the lads dealt with in this way were of idle habits, and were likely to develop into petty thieves, and that leads to burglary and other offences.

Q. What do you believe to be the chief cause of crime in this community? A. Well, I think want of employment is brought in here. These men can't get work and then they get drinking. There is very little crime in Kingston for a large place with a mixed population.

Q. Upon the whole, do you think that the world is improving? A. There is no doubt of it, men are getting better. There is not so much criminality as there was in the olden times; indeed there is very little as compared with what there was previously.

C. H. Corbett, recalled:—

The Chairman.

Q. Do the county council attend to the representations made to them as to the drainage, ventilation, and other sanitary and structural arrangements of the gaol? A. They don't until they are forced to do so. I have directed their attention to defects in the Kingston gaol, but they have delayed greatly in carrying out the requirements. I called their attention to the necessity for pointing the gaol wall a long time ago. It was crumbling away and I pointed out as time went on where there were large fissures and portions of it bulging out. If they had attended to it when I called their attention to it in the first instance, six or seven years ago, the work might have been done for $20 or $25. At last it had to be done and the cost now is about $500. The rest of the wall is still in want of attention, and I have pointed this out to the committee but they have refused to fix it. I generally point out what I want to the chairman of the property committee; one gentleman will occupy the position for perhaps twelve months and then he has to give way to some one else. His successor knows nothing whatever of the requirements of the institution; all he cares for is economy during the period of his office.

Q. Do you think that longer service in that respect would be a benefit? A. I certainly think it would. These men have frequently said to me, "Now just let this run on until next year, I want my year to be as small as possible in the matter of expenditure. If we incur this expense the ratepayers won't return me again."

Q. Don't you think you would get better results from the Government with an inspector? A. No doubt about it at all.

Dr. Rosebrugh.

Q. Have you had any trouble with your family in consequence of lack of drainage of the gaol? A. Yes; I lost two of my children through typhoid fever, and we have also had diphtheria. The drainage under my residence was so bad that for years I

pressed the necesstiy of its improvement on the committee; I drew the attention of the gaol surgeon to it, and he made representations as to the necessity for having it improved. I employed an architect and he had plans prepared for ventilation and drainage; still nothing was done. One of my turnkeys died from typhoid fever and one of my officers lost a daughter from typhoid fever. Both ventilation and drainage are exceedingly defective; in fact, one might say that no attention has been paid to them at all. It is better now than it has been but it is pretty bad still. The drainage is most imperfect in my quarters, and in the gaol too. There is no ventilation in the gaol; and altogether the arrangements are bad. You were in the gaol yesterday under most favorable circumstances. Every window was open and the gaol was sweet and pure, but in winter when the gaol is closed up you would find a most unwholesome smell and would soon realize the defects in the drainage.

Q. Have you been through the lock-up here? A. I have. I think it is unfit for any human being to be there.

Mr. JURY.

Q. Is your house drained into the main drain connected with the city? A. My house has at the end of it a cesspool; right at the end of the house is this pool, and there is a drain under the basement floor carrying off the water from the bath-room and the kitchen sink, into which there is soakage from the cess-pool; the whole system is most defective. All the matter coming from the ten closets in the gaol goes through the main drain. There is no escape from contamination of the foul air. The poisonous gas from the mouth of the sewer is most obnoxious when the wind is in a certain direction. I have represented all this to the county authorities repeatedly, and they have taken no action.

Q. Is the bottom of this cesspool lower than the bottom of the drain? A. I do not think so.

The CHAIRMAN.

Q. Would your county vote for the Government assuming control of the county gaols—that is, if the issue were fairly put before them? A. The county of Frontenac would vote decidedly conservative. If it were Mr. Meredith's policy they would vote for it without a doubt; otherwise they would not.

Q. Is the present system of government inspection sufficient? A. I think the inspectors are overworked men, and have no time to make a proper inspection of the gaols, and consequently no time to look thoroughly into these matters. The inspector comes here by train, and is anxious to get the next train back again. I am speaking in general terms, but a person who has not a practical knowledge of gaol matters cannot tell whether a gaol is properly conducted or not.

Q. You have heard the sheriff state that he appoints the turnkeys; have you had many during the time you have been gaoler? A. I have had twenty-five, and I would not have had twelve of these if the appointment had rested with me. The sheriff has not the interest in the matter that the gaoler has; still I will not put it in that way. I would say that as the gaoler is held responsible under the rules and regulations for the safe custody of the prisoners, it is most unfair in view of that fact that he should not have a voice in the appointment of his own officers. It is unfair to hold any gaoler responsible for the safe custody of prisoners when he has no voice in the selection of those who are to assist him in the management Grand juries have made repeated representations to the judges about the inefficiency of the turnkeys.

Q. You have heard the sheriff's evidence as to the mild and humane way in which prisoners should be treated? A. Well, the sheriff is a very humane man.

OTTAWA, July 18, 1890.

Present:—J. W. LANGMUIR, Esq., Chairman; HON. CHAS. DRURY, HON. T. W. ANGLIN, DR. ROSEBRUGH, A. F. JURY.

JAS. WRIGHT, Gaoler, Pembroke, County of Renfrew sworn.

The CHAIRMAN.

Q. When were you appointed to the position of gaoler? A. In 1876. Fourteen years ago.

Q. Do you think that vice and crime have increased in the Province by the intermixture of prisoners in the common goals? A. It has that tendency no doubt. I might speak of the case of a boy who is now waiting trial; this is his third offence within the last twelve months. I have reason to believe that the last time he was committed, the associations he formed had a bad effect. And now I am afraid he has become a habitual prisoner. We had after his first offence to place him in a ward with old habitual offenders, one of whom had been in the Penitentiary and the Central Prison, and the others had been repeatedly in gaol. In such cases I should favor sentences being very short and solitary confinement.

Q. Have many prisoners been sentenced to the Central Prison direct, as compared with the number removed? A. A good number of prisoners are left on my hands who are eligible for Central Prison treatment—men sentenced to three, four, and five months, who don't go to the Central Prison.

Q. Have you observed the result of Central Prison treatment on the prisoners? A. They don't want to go back as a rule. I think they regard Central Prison treatment as pretty severe. Of six women sent to the Mercer Reformatory one has come back to the goal again. Of four or five boys sent to the Penetanguishene Reformatory during my time not one has come back.

Mr. JURY.

Q. Are you troubled with boys brought out from the Old Country and placed with farmers? A. We have had one only, he was brought up in January last. He came under my notice after he was committed for stealing money. I think he was originally brought out by some of these emigration societies. I think that juvenile offenders are on the increase, but I do not think that drunkenness has increased in our district; in the old lumber time there was a great deal of drunkenness. There is no doubt it has decreased in my time.

Hon. Mr. DRURY.

Q. Are your constables very sharp in running in this class? A. No. Our constable is paid by salary not by fees.

The CHAIRMAN.

Q. You have heard a good deal of discussion as to the propriety of the Government taking over the control of the gaols. What are your views on the subject? A. I should be glad to see the Government have control of them because we should get rid of the county council, and I for one would rather have nothing to do with the council. There are too many bosses. We have trouble in getting anything done that leads to expense, even in getting clothing. I was fourteen months without getting a pair of blankets, and I had to use old clothes for bed clothes. My opinion is that the gaols would be better managed under the Government, that's my standpoint.

Q. What do you believe to be the chief cause of crime in the Province? A. I think a great deal of it is due to liquor. Persons break into places and steal and are not charged with drunkenness, but they claim that it was from the effects of the liquor they took and that they did not know what they were doing. In a great many cases it might be a mere

excuse, but in some instances it is true. I believe fully one-half of the crime is from the effects of liquor. The next cause is idleness—that is, people prefer to steal before working ; that's as plain as I can put it. One class, the male aged tramp, prefers to get along without work. They often take to gaol life in our county.

Mr. Jury.

Q. What about juvenile offenders. Do they drink ? A. Some of them do. I have got a boy of 14 now who will drink all the whiskey you give him and get money to buy it. You won't have to travel far in the city of Ottawa to find children that will drink.

Q. It is against the law is it not ? A. It is against the law to sell liquor to Indians, but lots of it is done all the same.

Q. Is there any house of refuge or poorhouse ? A. No. The townships do not provide for their poor that I am aware of. There are some charitable societies around that help the poor, but there is no public place for them to go to.

Q. Were those saloon keepers never prosecuted for selling whiskey to juveniles ? A. I have never known of it.

Hon. Mr. Drury.

Q. Did the county council fail to pay attention to requests made to them ? A. Yes, anything and everything.

Q. Do I understand you to say that the drainage is good ? A. Yes ; it is all right so far as that goes, for we are situated high on the hill ; but so far as heating goes, that is very poor. We have a sub-committee, called the gaol committee, looking after gaol affairs. The chairman is always near the town so that he can come down and attend to anything that is required.

The Chairman.

Q. Do you look upon confinement in separate cells as a severe punishment ? A. I think it is the only way to reform hardened prisoners. I would apply it to men who are waiting for trial ; it might be harsh, but it would have the effect of preventing their coming back to gaol.

Q. Then you are in favor of the cellular system ? A. I think it would be a good thing to carry out the cellular system, but it would involve the reconstruction of the gaol. It would be a good thing for those under sentence. Last winter we had eight in one ward ; two of them, one nineteen the other twenty years of age, seemed to be decent young fellows, but they had stolen some money, and I had to put them in with hardened criminals. Their companions were men charged with burglary, larceny, and one for murder.

Q. Would you in that case have given cellular confinement to these young men if the accommodation had been sufficient ? A. I would have separated them in some way from the other prisoners. Cellular confinement would have saved them from such evil associations. I suppose they would prefer the companionship.

Alex. Morris, Deputy Sheriff of the county of Renfrew, sworn :—

The Chairman.

Q. Your are the acting sheriff of the county ? A. Yes, I have been deputy sheriff seven years.

Q. What are your views as to the effect of the improper classification of prisoners ? A. I think it is productive of evil to young men who come in for first offences.

Q. Do you find that of the prisoners who have been sent to the penitentiary many have been recommitted to the gaol? A. I don't remember any who have come back from the penitentiary.

Q. Have the treatment and discipline of the Central Prison been effectual in restraining criminals? A. I do not know, but I have often heard prisoners express themselves that they would rather go to Kingston than to the Central Prison. We had a young man who had done a term in the penitentiary. He got three months in the Cornwall gaol, and he said he would rather take three years in the penitentiary.

Q. Do you think it would be an improvement if the Government took entire charge of the gaols? A. My experience in that line is very limited. There has been a great deal of trouble in getting what we require from the county councils.

Q. Have you any association who charge themselves with the task of trying to get work for the prisoners when they leave gaol? A. It has been tried but it has fallen through altogether through not being able to do anything.

Mr. JURY.

Q. I suppose that when they procured employment, or when you procured it for them, these men would not work? A. That is so; I think the last two women who went out got employment, but they would not do anything. The last one was taken to the lock-up for disturbing a Salvation Army meeting.

The CHAIRMAN.

Q. From your observation, do you think that there ought to be some other institution than the reformatory for the care of boys? A. I do. I think we ought to have an institution where they would have a chance of reforming, and being educated.

Q. Do you know anything of the effect of reformatory treatment upon the young who go there? A. We have sent boys there but we have never had any one come back to us from that institution.

Q. What do you think is the chief cause of crime in the community? A. I should say in most cases it is liquor.

JOHN D. CAMERON, gaoler, L'Orignal, sworn.

The CHAIRMAN.

Q. You are the keeper for the gaol of the counties of Prescott and Russell? A. Yes.

Q. What do you think of the proposal that the Government should take over the gaols? A. I have no complaint to make of the council. They have been reasonable enough in doing everything I required. Nearly half the council are French.

Q. It is hardly any use asking you the chief cause of crime for there seems to be very little crime in your counties? A. I think a great deal of it has to do with the bringing up of children. Those children who are improperly brought up naturally drift into vicious ways and from vicious ways into criminal courses. I know a glass of liquor does not make a bad man all at once. A man might do a thing under its influence, however, that he would not do in his sober senses, but as a general rule it is the training of the young that is at fault. We have not many truants. One boy was sent to the reformatory at Penetanguishene who fell into evil courses through getting beyond parental control, and he came back again a good boy. He corresponded with his parents and they were glad he was sent there.

Mr. JURY.

Q. Have you had many men who have passed through your hands who have gone to the penitentiary? A. Well, I suppose from eight to ten. I have had none come back to me who have passed through the penitentiary. One came from the penitentiary to our place who learned to be a tailor. He did not follow it when he came out; he stole a horse and returned. Lots of men that were up for sentence have preferred going to the penitentiary to the Central Prison; they would rather put in three years in the penitentiary than one in the Central Prison. I think it is better that a prison be a terror to evil-doers. I know that they dread the Central Prison and that many of them don't go into evil again.

ALBERT HAGAR, Sheriff of the united counties of Prescott and Russell, sworn.

The CHAIRMAN.

Q. How long have you occupied the position of sheriff, Mr. Hagar? A. About three years.

Q. Since you have been sheriff have you observed whether the association of prisoners has a bad effect? A. I have. In our county the prisoners are so few in number that the evils arising from such a state of things are not so obvious as where the numbers are greater; still, even with our limited numbers our classification is not what it ought to be. Our building is one of the old sort with modern improvements in regard to heating and lighting and sanitary arrangements and water.

Q. You had seven lunatics committed during the year 1889. If those had been sent direct to the asylum would that have enabled you to make a better classification? A. Of course the fewer the number the better the classification. There is no other place to send them to, that is the trouble.

Q. Have you observed the effect of Central Prison treatment on prisoners? A. During the last year we had three prisoners committed for larceny and felony and they were old offenders from other counties. Two of them had served terms both in the penitentiary and Central Prison, and they were remarkably anxious that they should be sent to the penitentiary rather than to the Central Prison; in fact a prisoner who had no one to defend him asked the judge before he passed the sentence to send him to the penitentiary. The conclusion I came to was that there was a good time in the penitentiary but a hard time in the Central Prison. Undoubtedly the harsher treatment is the best. Rigid discipline with hard work conduce to the reformation of the prisoner.

Q. Do you think there is any necessity for the establishment of a similar prison in the eastern section of the province? A. I think so.

Q, Would it be better to commit a greater number of short sentenced prisoners, those under six months, to some place where the same rigid discipline could be applied that now exists in the Central Prison? A. I think it would. I think the Central Prison, if there is to be a choice between it and the county gaol, is preferable. It would be better to send the prisoner to the central institution.

Q. I suppose you are aware that a great many prisoners are committed to the Central Prison, who, if there were no such institution, would be sent to the penitentiary. Do you think that it would be desirable for the Dominion government to establish prisons where strict discipline could be maintained and where prisoners could be confined for longer periods than is desirable in the county gaols? A. I think so.

Q. Do you think that in the interests of the prisoners themselves there should be such establishments? A. I think the prison should be a terror to evil doers.

Q. Is there any necessity for a poorhouse in your county? A. I do not think there is any crying necessity for one; still I think the establishment of one by our two counties, or a group of counties—a sort of poorhouse with a work house attached to it—would be of advantage to a certain class of people that are now sent to our gaols. The counties have to support them. For instance, we have a lunatic as our gaoler said, a woman who has been a sort of a harmless lunatic, wandering about the country for 25 or 30 years; they refused to admit her to the asylum, but provision should be made for that woman by the counties, some arrangement different to sending her to gaol. Then we have a young man who is idiotic in gaol; he is able to work—to do something for his support. In fact if there were such a place as you suggest it would be better for him, from a physical point of view, to be there than in gaol. My idea of a place of this kind would be to have a piece of land connected with it, where an income would be derived from the labor of the inmates, where they could be kept at exercise and work and where at the same time an income would be realized from their services. I know that there is a sentimental feeling abroad that a poorhouse is something derogatory, something that we should not have in this new country. I do not take any stock in that myself. I believe it is an institution that would be of great benefit to the old people and to the indigent people and to people capable of doing something—it might be some light work. Many object to the poorhouse because the tendency is to foster a pauper spirit.

Q. Do you think there is anything in that objection? A. I do not think there is much in it. I know that there is an objection that such an institution is liable to be abused. There might be some reckless individuals who would become more regardless of the future, but the number it affected would be small.

Q. Assuming that poorhouses were established in certain districts and a portion of the gaol population sent there, and that a district prison or work house were established for the confinement of short date prisoners, would that enable you to make a better classification in your gaol of the remaining population? A. Certainly.

Q. And improve the discipline and prevent contamination of one class by another such as now exists? A. Certainly.

Q. You have considered the question of the government taking over the gaols and what do you think about it? A. I certainly think it would be a good thing. I cannot say that we have anything to complain of in our county, although our council is very economical and saving; but I think the management would be better if the gaols were under the government. Where there are so many bosses as has been stated here the system cannot be conducive to efficiency; people coming in have different ideas. With regard to the sanitary improvement and classification, and the necessary repairs and remodelling of the gaol, I think that the government, if they took hold of them, would carry these things out with more vigor and very much more thoroughly and better than the county council. The councils would be doing everything with an eye to economy.

Hon. Mr. Drury.

Q. You think that the government does not do that? A. Well they do the work more thoroughly and systematically, but still without extravagance.

Q. It has been alleged that it would be better for the gaol officials to be under one control; for instance, a good goaler in your goal, where the salary would be only $400 or $500, would under a system of gradation be eligible for promotion to a place where he would get $1,000. Do you think that would be a good thing for the officials? A. Yes, I think it would be a good thing, a great incentive to gaolers improving themselves. There might be some objections, however, to having strangers from a distance put in these positions.

Q. What would you do with that class of the gaol population known as drunkards in order to improve matters? A. I never gave the subject a very great deal of thought and I have no particular scheme, but I think if they were sent to some place where plenty

of work would be found for them it would be a good thing. With hardened cases, those who are down for the third, fourth, or fifth time, I think that a district prison—a hard-labor prison—would be a good place for the treatment of such persons.

Dr. ROSEBRUGH.

Q. It has been suggested that it might be well to establish industrial schools in certain parts of the Province for those who are on the border land of crime? A. I believe that would be a step in the right direction. I believe that employment and discipline are what they want.

Q. Would you remove children from the control or influence of parents or guardians who neglect their responsibility? A. I would have no hesitation in doing it in the case of parents who are not capable of exercising control over children.

Q. What do you think is the chief cause of crime in the community? A. There are two or three principal causes—lack of proper training of children, and then intoxication, drunkenness; these are two of the principal causes of crime.

Q. Do you think that lack of proper training leads to indulgence in drink, and then to criminal courses? A. Yes.

Hon. Mr. DRURY.

Q. Do you think that a criminal career is usually begun in early life? A. I think where there has been a lack of proper training in youth the way is open for entrance to those evil paths which lead so many to ruin. If a youth has tided over the critical period of his early manhood, the probabilities are that he will continue the rest of his life a good and useful citizen.

Mr. JURY.

Q. Have you had any troubles from imported waifs in your counties? A. We have had a few of them. Two of the most serious crimes that have occurred in the counties were committed by what is called the emigrant classes from the Old Country; young boys or young men. I cannot say whether they were imported or not for certain, but I think that one of them was imported by one of these aid societies.

WM. KEHOE, Goaler, Ottawa, sworn.

The CHAIRMAN.

Q. When were you appointed to the position of gaoler? A. On the 1st of August, 1883.

Q. Is it possible in the present condition of your gaol to make a proper separation of the various prisoners? A. It is not.

Q. Has the indiscriminate mixing of the various classes of the prisoners a contaminating effect? A. Most assuredly it has. It is most injurious to the youth

Q. Do you think that with the additional means of classifying the prisoners now to be provided in your gaol you will be able to make a proper classification? A. Well, that means to stop all communication. I don't think it is quite as perfect as would be required. In my experience it is wonderful how news goes from one corridor to another; there is a sort of prison telegraphy; all kinds of means are devised for the purpose of communicating, so I would not say it would be perfect.

Q. Do you believe that the Central Prison has had a deterrent effect on the commission of crime? A. That is a difficult question to answer. A great number of those who have been sent there from Ottawa have never come back, and I do not know the effect on those who have not returned; there are some who have returned to Ottawa and have been several times convicted since.

Q. Would you be in favor of the establishment of a prison similar to the Central Prison in the eastern section of the Province? A. It would relieve the gaols of a great many badly disposed prisoners, and the classification would be easier with the rest.

Q. How is the Central Prison looked upon by prisoners. A. Some say that they are well treated there, and others say they are pretty hard. Some got on well with the discipline of the Central Prison, and others say they don't like it. I know one here sent down in the spring, whose opinion was that it was a first rate place; he said that they were treated well as long as they obeyed the rules and worked.

Q. What is the character of the drunk and disorderly prisoners committed to your gaol; were they habitual drunkards, or were they only occasional drinkers? A. Occasional drinkers for the most part. I would say that about one-half were committed once, and of the remaining half one-half were committed twice, and the remaining quarter you might divide up between fourth, fifth and sixth-time offenders. Some have been committed eight times in a year. A great many of them were young and unmarried. A great many of them were from twenty-five to forty.

Q. What effect has common gaol custody upon the drunk and disorderly classes? A. They are callous to it. I have a great confidence in depriving them of something that they now have. Supposing they came in for the third time for drunkenness I would think that it ought to be in the power of the committing magistrate to deprive them of say one-third of their meals, and put them on bread and water and in solitary confinement.

Q. If a drunk and disorderly character who is of little or no use in supporting his family, instead of being sent down for thirty or sixty days, was committed for a period of a year or two years, with hard labor, to the Central Prison would that be an effective way of treating him? A. Not always. I think they would return to their old ways again on leaving the prison. They might to a certain extent be reformed by the longer period of confinement, but I am doubtful as to the permanency of the cure.

Q. Would you recommend the establishment of a county poorhouse? A. I would not like to see a poorhouse in Canada. I hate to see a poor old person in gaol. I would like to see an institution supported by the Government where the managers would be compelled to take old people who are unable to maintain themselves. I think any institution, no matter what, that makes provision for old age tends to make people improvident. I think it would lead that way decidedly, but there will be poor as long as the world lasts.

Q. You have heard of a method of imprisonment called by some the cellular system. What effect do you think that would have? A. Solitary confinement, I think, has a good effect. My experience is that if a prisoner, say a boy committed for larceny were sentenced to twenty-four or forty-eight hours solitary confinement, that punishment would do him more good than if he were sent in for three months. He gets a sickener of the gaol and he don't come back again.

Dr. Rosebrugh.

Q. You had four boys confined in one cell this morning. Don't you think it would have been a good thing if each of those boys had been in a cell by himself? A. I do not think it would be wise. I think it would do him harm mentally, and I would not like to run any risk of that.

The Chairman.

Q. Do you think it would be a just thing to put a prisoner waiting trial into separate solitary confinement? A. Yes, if his age warranted it.

Q. What was the general character of the 22 boys and girls under 16 who were in the gaol during the past year? A. The general character of the little boys was such that their friends may be very careful about their whereabouts and what they are doing; some

you might have seen there to-day. One or two of them were abandoned by the parents altogether, and another was left to roam about at night, and then they get in the way of petty pilfering and the result is that they go stealing larger things afterwards.

Q. Do you think that common gaol custody for a month or two months or up to six months is the proper kind of treatment for that class of boys and girls? A. No, it is not. I will give you my idea: If a boy is taken before a magistrate for a petty larceny, that is the offence that all these are taken up for, although they put them down under the name of vagrants, I would deprive him of his liberty and punish him by solitary confinement for a period, and would have that done in the common gaol but in a separate cell.

Q. What are your views of the working of industrial schools for a great number of our waifs? A. I think they would be a good thing for those who are neglected by their parents and guardians. I have seen parents that would not control their children and they go to the court and get them sent to the reformatory. I think an industrial school is preferable.

Q. We have heard a great deal about the propriety of the Government taking over the common gaols. What do you think about that? A. I think they would be better under the Government entirely because then the management would have more system about it; and I think the Government would be as economical as the councils. I have no difficulty now in the way of getting what I want from the county council, but there has been some difficulty experienced in the past. I was agitating for an improvement that was very much needed for the gaol, and until the inspector took the matter up the council would do nothing. They gave effect to his representations, but that involved considerable delay.

Q. What do you believe to be the chief cause of criminality in the community? A. My opinion is that liquor is the foundation of crime in general. I think the next would be hereditary taint, inheritance from the parent. You cannot grow a turnip from a carrot seed; so it is with children left to shift for themselves. They naturally fall into crime. But had it not been for the intemperance of their parents these boys would have been looked after.

Dr. Rosebrugh.

Q. I would like to ask you what your salary is? A. $650 a year.

Q. And you are responsible for how many prisoners? A. Last year I had 691.

Q. I see that in Whitby with 87 prisoners the gaoler gets $800, and in Brockville, where there are 140 prisoners, the gaoler's salary is $1,000. Do you think that these inconsistencies would cease if the gaols were under the control of the Government? A. I do, because I think the Government would pay equally; in other words, they would give equal rights.

Mr. Jury.

Q. Have you had many prisoners going from Ottawa to the penitentiary during the time you have been gaoler? Q. I might have had 30 or 40 perhaps.

Q. Did they come back to reside here? A. Some came back.

Q. Do you know if any of these men learned a trade in Kingston when they were there? A. Yes, I think there were some; one learned painting. One prisoner came back a stone-cutter. After he came out of gaol I do not think he followed any honest avocation. The one who learned painting I think went back this summer.

J. G. Moylan, Inspector of Dominion Penitentiaries, called and sworn.

The Chairman.

Q. How long have you occupied the position of inspector of penitentiaries? A. It will be eighteen years in September since I was appointed.

Q. Your duties extend over all the penitentiaries in the Dominion, and in that capacity you visit these institutions from time to time? A. Yes.

Q. How many penitentiaries have you under your charge? A. Five.

Q. In your opinion should a prison be self-supporting or nearly so? A. It would be very desirable if that could be accomplished.

Q. Do you think that labor is an important factor in prison management? A. Most essential. It has a beneficial effect upon the conduct of the prisoners. It has an important bearing upon their reformation, raising their character and doing them good both physically and morally, particularly morally I should say.

Q. What in your opinion is the most fitting practical employment for prisoners in a penitentiary? A. I think trades—mechanical trades—would be desirable to enable them to obtain a livelihood after their discharge, if this kind of labor does not conflict with outside enterprise. There is a capital system obtaining in Scandinavian countries, where every prisoner is obliged to learn a trade, and where they have fifty or sixty different industries carried on in the prisons. This plan has been adopted in Sweden, Norway, Denmark, and even in Russia.

Q. Does it perceptibly affect outside labor? A. It does not. Of course my opinion is derived from reports, and particularly from the proceedings of prison conferences at Stockholm, London and other places. They are very reliable and interesting, especially the reports put before the public by the late Mr. White.

Mr. Jury.

Q. This knowledge is acquired by reading and not by observation? A. Yes. So far as relates to anything outside Canada, but the reports are the result of observation and careful enquiry on the part of gentlemen who have been in these countries and who are well qualified to deal with the question.

Q. Has the objection to teaching these men trades affected prison labor in this country—has it caused you to change your methods to any extent? A. No, it so happens that we have been able to dispose of all the available prison labor at our penitentiaries in connection with the works that we require; for instance, in Kingston penitentiary we have enough labor ahead to keep us employed for the next ten or twelve years in works of construction and the making of articles we require for our own use.

The Chairman.

Q. Are you opposed to the contract system as distinguished from any other system of prison labor? A. I am. In the first place, no matter what surveillance, what watchfulness may be observed in connection with the men working under contract, it is detrimental to discipline. Having outsiders come in, unless you search them every day things are brought in and the system has a bad effect altogether upon the prisoners. As in a school and elsewhere you will find a man or boy might have to accomplish a certain amount of work whether mental, physical or bodily, who is far ahead of his fellows. So amongst prisoners, you will get some who will do all their day's work under the contract system by half past eleven o'clock in the forenoon and then have the whole of the afternoon to themselves either for idling or working at a certain remuneration on the part of the contractors. There are others who cannot get through their allotted task in the prison hours of labor, and unless the officer is a just, humane and conscientious man those who are called laggards are invariably punished.

Q. Would all this apply where the labor was let out by time and not by the piece? A. It would not apply at so much per day to the same extent; but you cannot discriminate very well between the one or the other system, because the contractor will insist upon having a certain amount of work done, even at so much per capita per diem. Supposing you contract for labor at 40 cents, there must be a certain amount of work done or he will not pay for it. Some will have to work perhaps to make up for those who lag behind.

Q. What is your ideal system of employing prisoners in order to accomplish the greatest results as regards reformation? A. Giving a general answer to a general question, I would say it should be remunerative labor of an industrial character—labor that the prisoner will see is of value, if not to himself at least to the institution. I distinguish that from what you might call punitive labor, such as stone-breaking or any demoralizing employment.

Mr. JURY.

Q. Tell us besides theorising how you arrive at the conclusion? A. It would be very difficult for me to give you any further reason than the elevating character of the labor; it makes men better.

Q. You have during eighteen years as an inspector of penitentiaries seen a large number of men pass through Kingston and other penitentiaries taught trades? Has the result been in accordance with these theories? Have they led better lives and become better citizens to any large extent? A. The misfortune is that our system is rather defective and leaves to labor alone to accomplish an amount of reformation that would be required in order to make men lead good lives after leaving prison. If we had all the other means of reformation—if we had the isolation of the hardened—depriving those prisoners of the means of intercourse with the well-inclined—if we had a proper classification of prisoners and all the moral and religious influences brought to bear as fully as they could and might be in such institutions, a great deal more might be done. I mean that the chaplains, instead of paying a visit on a couple of days in a week, should go about with the prisoners to console, encourage and elevate them. All this, combined with the description of labor I have indicated, would effect material change in the character of most of the prisoners.

The CHAIRMAN.

Q. Have you ever heard of the system, and if so, do you think it would be a change for the better to adopt the plan which gives the prisoner a portion of the sales value of his labor product? A. I think it would be admirable; I think it would be an excellent idea.

Q. Do you think that it could be extended to the assistance of the families of the men convicted? A. I think so. If a prisoner required it, it would be a very just and humane thing.

Q. Inasmuch as the surplus is seldom large, in fact, hardly ever exists, would it not be well to give him a portion, even if the whole of the product were not of sufficient value to maintain him. As it is often the fault of the system that a prisoner does not earn enough for his maintenance, would it not be advisable where a man showed a disposition to work fairly well to assign him a portion of his earnings either to go to his own benefit or towards the support of his family? A. Yes, I think it would have a beneficial effect. They get now a little gratuity on going out of prison. There are a number of prisoners, 25 per cent. perhaps in Kingston, who do not earn their salt and who would not do so outside, but a large percentage—good healthy men—earn certainly more than their maintenance in the penitentiary costs. Farm laborers earn more than their maintenance; there is no mechanic that does not earn double his maintenance. There are prisoners who do the cooking of the food and the keeping of the prison in a healthy cleanly condition; all these men earn more than their average daily maintenance. I think that a system

could be introduced whereby the surplus over the cost of maintenance might be ascertained and the Government would be doing simply a matter of justice in assigning to each prisoner a portion of his earnings.

Mr. JURY.

Q. Do these remarks apply to the tailors' shop as well as the other departments? A. Yes.

Q. Have you any means of knowing the value or the quantity of the labor done in that shop? A. No, not without statistical tables.

Q. Have you any idea of the quantity of work which the prisoners do as compared with what could be done outside—as compared with what a girl could do outside in a wholesale clothing house in Ottawa or Toronto? A. No.

Q. Then, your remark that they earn double their maintenance does not apply to the tailor's shop? A. In any branch where a mechanic is nearly perfect, the mechanic will earn much more than is required for his maintenance; of course I am not speaking of those who may be inexperienced.

The CHAIRMAN.

Q. I see in your last report you make reference to indeterminate sentences; please explain what you mean by that? A. What I mean by an indeterminate sentence is that a maximum sentence according to the discretion of the judge be passed upon a man having previously served a term in prison; but upon the expiration of the sentence if those to whom the duty is assigned to adjudicate upon the man's character, did not find that he gave proof of reformation, they should not let him out upon society until he did so.

Q. To what class of prisoners would you apply this? A. I would confine it to reprobates, third, fourth, or fifth time criminals. If a young fellow convicted for the first time gave unmistakeable proof, while in prison, that he was a hardened character, it might be applied to him.

Q. But are indeterminate sentences not generally passed to encourage good conduct and promote reformation? A. I think they are. My reading is more in connection with the Belgian system.

Dr. ROSEBRUGH.

Q. The fact remains in a measure the same, does it not; a man has certain remission for good conduct? A. Yes, a man gets seven and a half days in a month, and he can obtain a certain proportion more if he behaves himself.

The CHAIRMAN.

Q. My reading of the law of New York is that indeterminate sentences are only extended to the young; to men between the ages of say 19 to 30, and for first offences, the prisoner to be subject to a maximum sentence, but with excellent conduct, industry and diligence in study, he may earn a remission of his sentence and get out in a year and a half. Do you agree with that? A. No, I cannot say that I do.

Q. What would be the effect of the system upon society? A. I think it would be injurious.

Q. What is the effect on the prisoners; might it not to make a man a good prisoner without making him a good man? A. Yes; the worst prisoners that we have are the men who get least into trouble with the prison authorities; they generally observe the rules and their observation of them enables them to make their bed as soft as possible while in the penitentiary; they have had experience of previous sentences—of what is necessary to be done in order to get out as soon as possible; generally their observation of the rules and regulations will accomplish this, but it will not reform them.

Dr. Rosebrugh.

Q. You are aware that some advanced prison reformers have thought that hardened criminals should be permanently incarcerated? A. I think that such a thing would be attended with difficulty; it would be very difficult to deprive a man of his liberty for life, unless for some grave offence. If such offences are repeated it is the duty of society and due to the man himself, to keep him within the bounds of restraint—to incarcerate him for life.

Hon. Mr. Anglin.

Q. Our judges now have large discretionary power in many cases, would you take this power away from the judges and place it in the hands of other parties who may not possess high judicial qualities? A. Well, according to reports, this system has worked admirably in Belgium. This indeterminate system where re-committals were 65 per cent. reduced them to under 1 per cent.

The Chairman.

Q. Your experience might enable you to give us some information upon a point that we are much interested in. The children of a great number of people who are in and out of the common gaol and of others are neglected, or brought up in depraved and vicious surroundings of every sort and these will probably swell our prison population. Do you think that for them an industrial school would meet a much felt want? A. I have not had experience in that matter, but I have given the question some thought and I am of opinion that an industrial school well conducted should have a very good effect. The moral and religious training of the children would be properly attended to, and I think that is the foundation of all reformation.

Q. What is the result of your observation as regards placing children in homes where they are congregated together in considerable numbers under one roof? A. I do not think that where the children are congregated together in large numbers they can withstand temptation like ordinary children.

Q. Assuming that the industrial school system would be the best to meet the want, have you any fear of the result of congregating say 100 or 150 together, or would you prefer smaller schools? A. I think the numbers would not make a great difference provided you take proper care to prevent their demoralising each other. I think a well conducted reformatory, or industrial school conducted on proper principles, such at that in Montreal, which I have visited frequently, would be of great service. I have been greatly impressed with the value of that institution.

Q. Is that under the Christian brothers? A. No; it is under the Belgian brothers. They have an establishment in Boston and one in Detroit.

Q. Do they draft them out into the country? A. No; they educate them there and give them trades.

Mr. Anglin.

Q. How many brothers are there in that house? A. Between 29 and 30, well qualified instructors, and there are over 300 children.

Q. How about the arrangements for the care of children during the night? A. They have dormitories there; the supervision during the night is of the strictest character; several of the brothers are in various parts of the dormitory, and they relieve each other in the watch.

Dr. Rosebrugh.

Q. What would be your preference as regards management—an establishment wholly under the Government, or one partly under some organisation? A. I think the institution should be either one or the other, doctor. If you have a mixed government it would not be satisfactory. If you could get the right material in these associations

or organisations always—that is, zealous, devoted people, who will give their interest, time, labor and pains in looking after the welfare of the institution and the inmates, that would be very good; but the question is how you can secure that always I think the Government should have the control and supervision of these establishments.

The CHAIRMAN.

Q. You are now doing something in the penitentiary in the way of introducing the cellular system? A. We are trying the experiment there; the idea is to isolate bad prisoners from the others; those who are better disposed we intend to keep separate altogether.

Q. Do you think it could be applied to our common gaols at all? A. Well, I think the preponderating number of short sentences would so much interfere that it would be difficult to have a fixed rule or arrangement of that kind. That is, as regards those sent for sentences of thirty days or so. At Kingston penitentiary we are constructing a tier of cells specially for this purpose. We intend these cells to be worked on the rule that is followed in the Crofton system of putting in the newly received convicts for six, eight, or nine months; after they are received in order to give them time for reflection, time to be acquainted with the rules of the establishment: to be attended by the chaplain and teachers, while they would get some work to do and a diet such as would keep up their physical health.

Q. Do you think it would be just and fair to a man who is waiting trial to put him under that kind of restraint and confinement? A. If a man were in a good room and had books with of course a reasonable amount of exercise every day I do not think that any injustice would be done him. On the contrary, I think any well-disposed man, any man with self respect, would prefer to be separated from the ordinary gaol prisoners waiting trial.

Q. And you think it would not be punishment before sentence to him? A. Well, I would not consider it so.

Mr. JURY.

Q. Don't you think the system would be very different in different circumstances. To read books would be just what an intelligent man would like, but to a man who did not read, who took no interest in matters of that kind, would it not be a punishment to be kept alone away from the society of his fellows? A. It is quite natural that it should.

Dr. ROSEBRUGH.

Q. Do you know from actual observation, or from the reports from places where the cellular system is carried on, its results, and can you tell me whether it exists in the local gaols in the old country? A. I cannot say anything as to that except in connection with a few prisons in Ireland where this cellular system is in operation. The prison to which I particularly refer is one of the penal establishments: they are all sentenced prisoners there and they work in their cells.

Mr. JURY.

Q. I would like to ask Mr. Moylan with respect to the credit given to the different classes of prisoners for good conduct what rule would be observed in selecting the good prisoners from the bad? A. We will start them all fair in the first place, both first time convicts and "repeaters." Men coming in the tenth time re-committed will be given to understand that there is a fair field before them. All will be put on a level and given an equal start, and those obtaining the most good conduct marks will obtain the best classification, and will be separated from those who try to make others as bad as those who were guilty of the most serious crimes, and who are also committing frequent breaches of discipline.

Q. Would it not be better to classify those convicts according to their antecedents and records? In order to prevent the association of new men with those who have been habitual criminals and professional crooks? A. It would be, I think, when those additional cells are provided, only fair to give a man a chance of turning over a new leaf before putting him on the old plan again; however, I may mention that we have not yet decided upon any fixed plan. My idea is to consider the recommendations of some competent person appointed to visit the countries where this system is in operation and where it is a success. I should like to say that if the Provincial Government extends the commission so that you would be able to visit the old country, the establishments where such a system is in operation and successful, it would be a very great benefit and very much good would result from it in the way of adapting as much as possible those systems to our own establishments here. From what I have read of the Irish system, the separate classification is carried out with great completeness.

The CHAIRMAN.

Q. What in your opinion is the chief cause of crime in Canada? A. That is a broad question. The chief cause of crime to my mind is defective moral and religious training in youth.

Q. That is the cause of the young going astray? A. Yes, and they become drunkards and criminals.

Q. Do you know of any considerable number who have followed criminal courses or have fallen into criminal ways through hereditary taint? A. My statistics would not give much light upon that subject.

Dr. ROSEBRUGH.

Q. Upon the whole you believe that there is room for an institution on the lines of Elmira for young men in Ontario, say young men between 16 and 25, who appear as criminals for the first time? A. I think Elmira owes its success entirely to the extraordinary man at its head; but in a modified way we might have such an establishment here although not carried to the same extent as the institution at Elmira.

Q. You know there is one in Concord, but not exactly on the same lines? A. That appears to me to be a sort of rascal's paradise; they have their music, their debating rooms, their recreation room, and live there in plenty, but like the most hardened characters in a penitentiary they observe the rules so as to get all the advantages they can and have their time minimized as much as possible. While there they are good boys and naturally they obey the rules because that gives them privileges they could not otherwise obtain.

JOHN WHITE, Gaoler, Brockville, of the United Counties of Leeds and Grenville called and sworn.

The CHAIRMAN.

Q. When were you appointed to the position of gaoler, Mr. White? A. In 1866, I think.

Q. Do you believe that the association of boys with grown-up prisoners has a more or less contaminating influence? A. I don't know that I ever had as bad grown-up persons as I have had boys. I have had boys who contaminated the elder prisoners, instead of the elder prisoners contaminating them.

Q. What age would they be? A. Boys of the age from 12 to 15.

Q. Have you had any boys committed for first offences who were comparatively innocent? A. Yes.

Q. When such boys as these are put with the most hardened criminals, don't you think that their influence would have a bad effect? A. I have always tried to keep those boys away from that class of people. Take a hardened criminal and a habitual drunkard, the drunkard is the better man.

Q. Would the influence of a man committed for trial for a serious offence, who had perhaps been many times in the penitentiary, be bad upon a man committed up for his first offence? A. The other one might be just as bad. I have not had many of that kind.

Q. What effect would it have upon a young girl charged with some petty offence to place her with a prostitute? A. A very bad effect; but wherever it is possible I put that class into a separate ward. I should just like to say about boys and girls of ages from 5 up to 10 or 12 years, that the police magistrate will send them up likely for 21 to 30 days. I have always tried to have him send them up for four or five days, or a week at the most. When they come into gaol they come in crying, and will cry for a a considerable time and appear to feel their position, but when they are sent up for 21 or 30 days at a time, after their time has expired they don't care anything for the gaol at all.

Q. Have you noted the effect of Central Prison confinement upon prisoners? A. I can hardly speak upon that. We don't send them very often twice. sometimes we do, but the prisoners generally when they go to the Central Prison have committed crimes of larceny and would rather go to the penitentiary. Some of the prisoners get three months at the Central Prison. That seems to have a deterrent effect upon them. I cannot say whether it would have the same effect upon the classes known as the drunk and disorderly.

Q. Are there many habitual drunkards? A. Yes, a good many.

Q. Does gaol custody seem to do them any good? A. Not a particle.

Q. You say you have quite a number of drunk and disorderly characters, one of whom has been in gaol a very large number of times; is that the best place for him? A. That man would be better in some home all his life time where he could do work for his own support. He is a strong able man, makes a good turnkey, and would not allow anything to go wrong in a gaol.

Q. Do you think that the Government should take charge of the common gaols in the Province? A. Most decidedly I do. I think that the gaoler ought to have control of the gaol, ought to be appointed by the Government, and to be held by the Government responsible for its management. I am not finding any fault with the sheriff; I have been there under four sheriffs, and I have no fault to find with either. If the gaols were under the control of the Government then there would be a more uniform system. The powers of the inspector are merely recommendatory; he can only recommend in certain cases and cannot enforce what he recommends unless by mandamus, and he does not often proceed to that extent.

Q. Are your recommendations after being approved by the inspector reasonably well attended to? A. There is always delay. We are just now getting in the water works hat we have been agitating for about 12 years.

Q. What is your opinion as to the chief cause of crime in the community A. I think that larcenies and thefts are born in the child in many cases; they are not in all. I think trouble with whiskey is born in the child, and in every case that is the great cause of crime.

Q. You say that a child born of drunken parents is apt to become a dunkard, and perhaps a criminal? A. Yes, I do, and a great many who have been brought up well, and well cared for, too.

Q. Assume that a child is removed at five or six years of age, from bad associations, and put into a good home, do you think that the hereditary taint would follow it? A. I think so, in many cases.

Hon. Mr. DRURY.

Q. Have you based that opinion on observation? A. Yes.

Q. You have noticed children of parents born under these influences turn out in this way? A. I have noticed children do so.

Q. Would it not be wise to take the children of dissolute and criminal parents away and place them in good environments? A. I cannot get so far as that, but I am satisfied that in a great many cases these parents are unfit to have the custody of the child. My father was a drunken man, and I think that I have the seed of whiskey in me to-day, and only for my self respect I would be a drunkard; so I know how difficult it is to get over the hereditary taint. I drink liquor, but from self respect for myself and family I do not get drunk; I have got a brother a drunkard; it is the seed that is born in him.

JAMES SMART, Sheriff of the United Counties of Leeds and Grenville, sworn.

The CHAIRMAN.

Q. You have heard what the gaoler has said about the great trouble you have had about the improper classification of prisoners in the gaol; is it impossible, as he says, with the number of prisoners, to make a perfect classification? A. We cannot do it.

Q. Do you think that the spread of crime in the Province is due to any considerable extent to this association of prisoners in the common gaol? A. I think the tendency is in that direction; I think evil communication corrupts good manners.

Q. As it is not practicable to have proper gaol classification, under present circumstances, would you recommend the establishment of industrial schools for youths? A. I would, certainly.

Q. I see that fourteen youths passed through your gaol last year; do you believe that in addition to these there were a very considerable number of the same class who did not come within the grasp of the law? A. I do not think that we have ten per cent. of those who have been in reality disobedient and beyond parental control.

Q. Is it your belief that the neglect of children who commence with being unruly, disobedient, and beyond parental control, and go from that to petty thefts, and from petty thefts to robberies, is one of the chief causes of the spread of crime? A. Undoubtedly it is.

Q. You have no poor-house, I believe, in your county? A. No; ever since I became sheriff I have done all I could to induce the grand jurors to bring in a presentment, and to press this matter of its establishment upon the county. Old worn out men—people who have got no means of subsistence, whose friends have forsaken them, are invariably sent to the gaol as vagrants; they stay in the gaol for a term, go out and come back again, and a large number of them die in gaol.

Hon. Mr. DRURY.

Q. Are they residents of your county? A. Yes; they come from different parts of the county.

Q. Are they committed by the magistrate? A. Yes.

Q. Is the warrant of commitment renewed from time to time, or do you keep these people on indefinitely? A. We have to discharge them as soon as their time is up, but there is no difficulty in their being re-committed, and they are very often. Where the

parties would not be able to manage themselves we have kept them on. We have got no other place for them ; they lie there and die ; in fact, they just lie right in the day room in a corner of the room with the other prisoners all around them.

Q. Does this interfere with the discipline of the gaol? A. I could hardly say that ; there are always some sympathetic prisoners who take an interest in these old men.

Q. Does the Central Prison perform good work for the prisoners who are sent there? A. I think it strikes terror to the prisoners ; we had a prisoner, and the judge on the point of sentencing him seemed to give him the option of the Central Prison or the penitentiary, and he spoke right out and asked for a longer sentence—asked the judge to give him two years longer in the penitentiary rather than send him to the Central Prison ; he had served a term in the Central Prison ; he stated that the Central Prison was a hard place, while in the penitentiary it was easier, and that made it possible for him to meet with his old associates in the penitentiary.

Q. Do you think it would be desirable to have a prison somewhat of the same character in the eastern section of the Province? A. I do ; there is one great trouble about the Central Prison in Toronto, and that is in connection with getting the prisoners away in the east ; sometimes we are two or three weeks before we can get them away, even though sentenced direct.

The Chairman.

Q. Are most of those who were sentenced for drunkenness and disorderly conduct last year habitual drunkards? A. Oh, there are some habitual drunkards ; they will get drunk and get into gaol ; and then they will go to work for a week or two, get some money, and go on another drunk.

Q. Do you think that after the third commitment of these prisoners to the common gaol, it would be better to sentence them for longer periods to some institution where they would have rigid discipline and plenty of work? A. Yes, I think it would be the best ; I would recommend that.

Q. What are your views as to the Government controlling all the gaols? A. I think that they ought to be entirely under the Government ; I suppose parties are actuated a good deal on this score by the treatment that they receive from the counties ; so far as the counties of Leeds and Grenville are concerned, I certainly have no reason to find fault with the treatment I have received in my position. Anything I require I get ; they are a little slow of course, but they have always come up to it in the end. No later than yesterday we got the water into the gaol, and they never consulted me at all about the way that they were to put the water in, or as to the position we were to have the pipes in, and I went in and found out what they were going to do ; they had made no provision whatever for baths. I pointed this omission out to the chairman of the committee, and I told him that he was certain to make a great mistake in not putting a bath in. He asked me what it would cost to have this done, and I went to see the plumber, who gave me an estimate of the cost ; the result was that the chairman gave instructions upon his own responsibility for this to be done. This shows that they are amenable to representations of that kind.

Dr. Rosebrugh.

Q. On general principles don't you think that it would be wise for the Government to assume control of the gaols? A. I think the Government might assume the whole control of the gaol.

Hon. Mr. Drury.

Q. Do you think, sheriff, that criminals begin early in life to form the habits which develop afterwards into crime, and make them gaol birds and penitentiary birds? A. I do.

Q. Then you will agree that money spent in preventing the inception of crime would be a judicious expenditure? A. I believe in the reformation of the young ; I believe that there is no human being who cannot be reformed.

Q. Would you favor a law by which a person, or a properly constituted authority, might interfere with children growing up in vicious homes, and take them away from their parents or guardians, and make them wards of the State? A. I think there might be some difficulty in taking children from the parents, but if it could be accomplished, I think it would be a blessing to the children and a blessing to the whole community. I don't care how vicious the parent may be, there is something about taking away the child, the offspring of the parent which has harshness about it; but there is no doubt at all that there is a large number of young children who are almost in starvation and rags and misery, and it would be a great boon to them, and a benefit to the whole community if they were taken off the streets and placed where they could be cared for and educated; there is no doubt about that.

DONALD MACDONALD, Gaoler, Cornwall, for the United Counties of Stormont, Dundas and Glengarry, sworn.

The CHAIRMAN.

Q. When were you appointed goaler? A. I was appointed in June, 1872.

Q. What are your views about the Government taking the control of the gaols? A. We get all that is asked for from the council.

Q. Is your gaol in a good state of repair? A. Yes; the water is in there, the gas is in there, the heating is done by hot water, although it was formerly done by a stove. We cannot complain; we have all that we require in the shape of prison clothing. I have nothing to do but ask the sheriff and it is forthcoming. The sanitary condition of the gaol is very good; we have no sickness there.

Q. I see that you had ten lunatics at the gaol during the year; have you always a great number? A. We have not more than we have had during the last few years. For the last ten years we have averaged about sixteen a year.

Q. What do you think is the cause of lunacy in these old counties? A. I cannot say. There is one thing that I always did think and know myself to be a cause of lunacy, and that is the practise of self-abuse with a great many.

Q. Have you much trouble in getting lunatics transferred to the lunatic asylum A. I have sometimes. Some are not considered proper subjects; the information is often not strong enough against them. They seem willing to send them to gaol to get rid of them. There has been one in goal lately, and the papers in connection with the case went to the west. It turned out that they were not strong enough to warrant an asylum receiving him, and he is at large now. When he was in gaol this man was quiet and harmless, but his brother told me that he was dangerous at home. I think he would be a good subject for a poorhouse.

Q. What do you think is the chief cause of crime in this community? A. I have often thought that when parents do not bring up a child honest and truthful, letting him tell lies, and hear bad talk in the house, the child naturally becomes bad, and a criminal before he is many years old. I never once saw the child of good parents go bad. Intoxication and then idleness has something to do with crime; but people will commit crime who seem to have no cause at all. Men receiving big salaries sometimes take a lot of money and go off, rob their employer's treasuries or the public of sums of $10,000, $15,000, $20,000; one can hardly understand the motive for some of these crimes.

Mr. JURY.

Q. Have many men passed through your hands to the penitentiary? A. A good many. I think I only know of one who came back to live here.

Q. Did he follow any trade that he learned in the penitentiary? A. Yes, he is a stonecutter. He is a good man and has proved himself to be an honest workman.

Q. What crime was he sent down for? A. For burglary and theft.

The CHAIRMAN.

Q. Do you think that committal to gaol has a good effect upon drunkards? A. No, I do not think so. They come up again; sometimes when they get on a prolonged spree they commit some petty crime for the purpose of getting into gaol.

Q. What kind of treatment would you recommend for them? A. Well, I would recommend that they be sent to some place where they would get more to do than they would under gaol treatment. There is nothing for them to do in the gaols; they are kept warm and clean, better than most of them are accustomed to at home, particularly in December and the other winter months. I think that after a third conviction these men should be sent to the Central Prison and made to work hard.

Q. Do you think such treatment would lessen the numbers? A. I believe it would lessen their numbers and stop their course. I would recommend that treatment for drunk and disorderly characters.

Rev. JAMES JOHN BOGART, St. Alban's Church, Ottawa, called and sworn.

The CHAIRMAN,

Q. How long have you been in Ottawa? A. Nine years.

Q. Where were you before that? A. At Napanee for nineteen years.

Q. During your charge of these churches, have you had occasion to notice the ways of criminals to a greater or less extent? A. I have been a sort of voluntary chaplain, both at Napanee and here. When I first went to Napanee, I was connected with Kingston, and went there to visit the gaol, and as soon as it was possible to do so I visited the gaol in my own parish, both there and in Ottawa—every Sunday I could get there; at first voluntarily, and latterly at the request of my brother clergy.

Q. In your visits to the gaol, have you had occasion to see whether there has been a proper classification of the prisoners? A. Oh, certainly there has not been.

Q. Do you think that imperfect classification has been one of the causes of the spread of crime? A. I think it would be, but many of the juveniles that I have met have been a pretty bad lot themselves.

Q. Do you think it is possible to get a perfect classification in the common gaols that you visit? A. There are a good number of wards in the gaol here, and after the alterations are carried out it would give them a better opportunity.

Q. To carry this a little further, do you think that if you could separate sentenced prisoners from those waiting trial; boys from adults, first offenders from the more hardened that even then the classification would be exceedingly imperfect? A. Certainly. It must necessarily be so.

Q. What do you think of cellular or separate confinement for prisoners? A. I really do not know; I have been listening to the evidence to-day, I think certainly that for some it would be an excellent plan. Of course there is the question of the light in which the different prisoners would regard it. It would be received differently by men differently constituted, but at the same time, if a man gets into gaol he has not much right to complain.

Q. Do you think as regards men waiting trial, who might not be guilty of the offences with which they were charged, that it would be a punishment to them to entirely separate them from their fellows? A. Of course it would be a punishment to put them in gaol at all, but whether separate confinement of this class in a gaol would be more a punish ment would depend entirely upon the person concerned. The question whether to separate a man from his fellow prisoners is any better than to put him in with hardened criminals whom he would come in contact with can admit, however, of but one answer. I should think it would be better for the man himself to be kept apart although it might have some bad effect. My opinion, however, upon this subject is worthless.

Dr. ROSEBRUGH.

Q. I suppose if you were a criminal you would not object to be locked up by yourself? A. Well I don't know, I would rather stay outside.

The CHAIRMAN.

Q. Do you think that the Penetanguishene Reformatory is sufficient to meet the cases of all the young lads who have gone astray, or do you think that there ought to be another kind of institution established for those who are drifting into criminal courses? A. I certainly think that an industrial school would be an excellent place for them. If I had my way I do not think that I would let a boy under fourteen or fifteen years of age inside of a gaol at all. I would punish him, but I would make the punishment short and sharp. I believe that we should look upon gaols as a preventive of crime, and as being established for the protection of society. I feel that in most cases a boy is made worse by going to gaol; it brings him into contact with criminals and it is not often that at the moment you put him there he has lost his self-respect; but once he has been in gaol he becomes amongst his associates a hero. I think some sharp punishment, perhaps solitary confinement and bread and water; and if the boy got a touch of the cane when he is sent out it would be far better than keeping him in gaol.

Q. Has the arraingment of children in the police court had a bad effect? A. Yes. I think that if a law were passed providing that there should be a commissioner to try juvenile offenders, it would be an excellent thing.

Q. Would these industrial schools be better under municipal or Government control? A. Well, I should think that all these institutions ought to be under Government control, for this reason. I have not heard any of the other witnesses mention it yet. I have thought that the officials should be entirely independent of the electors. You can easily see if the gaolers are under the control of the county councils, there are persons who will bring or who will try to bring their influence to bear upon the officials, to receive favors; or if a friend is not treated properly, to bring some accusation against the official.

Q. Would you recommend the establishment of industrial schools for groups of counties so as to provide for a considerable number of those lads who cannot be controlled by their parents? A. I would. I might draw your attention to a case bearing directly upon this matter. I know the mother of a boy, and she wanted her son to get a certain situation which I could not recommend him for. The husband has lately gone to the penitentiary, and she said, "What am I to do with the boys." One of the boys had been accused—I am not sure whether he had been found guilty or not—of an offence, and she cried again, "What am I to do with the two boys." Now, these boys should be sent somewhere. Then I know another case where the mother died and the children were left entirely without parental control. The person in whose charge they were put has no control over them, and there is no place to put them in.

Q. In the cases of dissolute parents neglecting or corrupting their children would you go so far as to say that the State should take the control of such children? A. Most certainly. The parent has not only forfeited all right to the child, but it would be cruelty to the child to leave him there in an atmosphere of nothing but guilt.

Q. Are there any houses of refuge here? A. There is a home for friendless women—some Roman Catholic institution—they have done a great deal of good,

Q. Do you find in your visitations that there are a number of people sent to the common gaols who are proper subjects for a poorhouse? A. Yes. Perhaps not so many here as at Napanee. I think it was a scandal to see them there. It seems to me that the gaols are intended for the criminal, or the person who is accused of being a criminal and there are several classes sent there which certainly should not be sent there. Lunatics and infirm paupers are not criminals, and I do not see what right they have to send them to gaol. I would suggest—it is a wild scheme probably, but I will give it for what it is worth. If a poorhouse were organized I would have it not only a poorhouse, but a place to which lunatics and those unable to support themselves could be sent, and I would also have a sort of inebriate asylum connected with it. A poor mother speaking to me with tears in her eyes said, "What am I to do with my son to keep him away from his companions." We ought to have some place where we could send men of that kind for a time; where they would be kept under some control. I think such a poor fellow is to be pitied, and if it is possible we ought to provide a place to which we could send such as he. I think if we had in connection with a poorhouse a ward for mild lunatics, a place where you could keep a certain number of inebriates under restraint, we would be able to accomplish a good deal that is impossible at present.

Q. What religious instruction is given by you and the other clergymen who undertake duties at the gaol? A. I go and the Roman Catholic clergy go, and I understand that some members of the Young Men's Christian Association go too. I would say a word or two in connection with what you have asked several witnesses to day about the religious instruction given in the gaols. The answers have been in the negative. It does seem to me that if gaols are in any sense to be reformatory there should be some religious instruction —some effort should be made to reach those poor creatures who have got there. I have been doing this voluntarily, but I have felt that my hands, to a certain extent, were tied. It seems to me that at any rate in the cities and in towns there should be a chaplain appointed who could go to the gaols not only with some authority, but also with responsibility, and not let it be in a "happy-go-lucky" way. At the present time my hands are tied. I can only reach those who choose to listen to me or take part in the service. The men that one ought to reach are perhaps the very ones who are not reached, and I am not allowed to visit or speak to these unless they choose to come to me. Now, I think I am right in saying that a chaplain should be appointed and given some authority and responsibility, and that he should have the *entree* of the gaol and be able to see the prisoners. The Roman Catholic priests have come to me and expressed the same feeling. It is not a case where you are going to proselytise, but where you are trying to do these poor people some good; I do not think that the duty of the state as regards these people is sufficiently realized.

Q. What do you think are the chief causes of crime, A. There are immediate causes and remote causes. I attribute crime a great deal to a thing that our people are inclined to boast of very much and that is our system of education. The instruction which the children receive in the common schools ought to be such as would deter them from crime. I have gone into the schools in Ottawa—I took the trouble to go a few years ago round as many as I could to find out how many knew the Lord's Prayer and the Ten Commandments. I made out a little schedule of the result of my enquiry and the result in these schools was simply appalling. I don't believe that 25 per cent. of our children of the age of ten or twelve know these. They have an idea of right and wrong, but there are a great many things that they meet with in the ordinary course of life that they do not know to be wrong. I do not see what you can expect from the Sunday school system alone when the teaching of Christian morality and doctrine are entirely neglected in our day schools.

Hon. Mr. ANGLIN.

Q. What percentage could repeat the Lord's Prayer and the Ten Commandments? A. About 20 per cent.

Mr. JURY.

Q. Could all repeat the Lord's Prayer? A. No, a certain number could. We were invited by the clergyman to make some test in a country parish and I tried the experiment. There I think 26 in one room were examined and only three knew the commandments. I think it is deplorable that Christian doctrines and morals should not be taught in our day schools.

Q. Have you examined the text-books of the public schools? A. No.

Q. Well, I would advise you before you volunteer that information again to make yourself familiar with them. I am not one that is very particular about matters of this kind myself, but if you will take the trouble to go through the text-books you will find that every one of them from the beginning to the end inculcates the doctrine of the Christian religion and Christian morality. Do you not know that these books contain an epitome of scriptural truths—the cardinal truths of Christianity.

The CHAIRMAN.

Q. You consider then that the absence of religious instruction in the schools is one of the causes of crime? A. I do.

Q. What do you consider is the remedy for that? A. I would like to have separate schools. I am in favor of separate schools where you could have that kind of teaching.

Mr. JURY.

Q. You are aware that in England the tendency is towards secular education? A. I do not think it is. I know that there is a struggle at the present time between Christianity and unbelief, but I have not seen that the church has suffered through it.

Q. I suppose you are aware that for twenty-five years the only schools for the people are what are called the National schools, and that England is dotted over with National schools. And if you study English criminal statistics you will find that crime has largely decreased in Great Britain during those years. Have you studied those statistics? A. No.

The CHAIRMAN.

Q. We asked you, Mr. Bogart, what the chief causes of crime are, and you told us what you regard as one cause—what do you think are the other causes? A. Defective home training; in fact, I think defective home training is not strong enough, it is the utter absence of it.

Mr. JURY.

Q. Do you really think that there are many parents who give their children bad training. A. Well, a bad example is certainly about the worst training you could give them. I wonder at parents pretending to be respectable allowing the things to pass before their children that they do. What they see in those tender years forms their character for life, and then how many times do you find children witnessing things that are improper; children are very observant and they cannot help imbibing pernicious effects from those evils when they see them.

Hon. Mr. DRURY.

Q. I suppose your general idea would be this, that children brought up in homes where immorality prevails and where there is no religious teaching will be contaminated by the atmosphere that surrounds them at a very early age? A. Yes.

Hon. Mr. ANGLIN.

Q. How are you to determine whether criminality on the part of the parent is inherited by the child or not? A. I am not prepared to answer that question. I think that inference would be unwarranted unless there were very strong evidence of it, to say the least. I certainly think it should not be assumed unless there were proof

OTTAWA, July 19th, 1890.

Sheriff SMART, recalled.

The CHAIRMAN.

Q. Do you think it very desirable that the officials of the gaol should exercise good influence in all matters appertaining to the gaol? A. Yes, as far as religious instruction and services go I am very much in favor of the right kind of service being performed in the gaols. I have seen the effect of it in Brockville. Of course we have got Protestants and Roman Catholics, and I have made it a point always to notify the priest when there were any of his flock there. Of course we do not want to exercise any influence over persons of a different persuasion to ourselves. I went last fall to the Young Men's Christian Association at Brockville and requested them to come on the Sunday afternoons and hold services and they did so, and I must bear my testimony to the good effect it had upon a large number of the prisoners. Of course prisoners do not want sermonizing, but they want parties who will be gentle with them and sit down and converse with them. I think this is the most effectual way to get those prisoners to realize their condition.

Q. Well, you find your officials doing all in their power to exercise good influence? A. No; I cannot say I do.

Q. Does your gaoler? A. No; He does not exercise any influence in that direction; he was opposed to my suggestion that there should be services held, and he never attends the service.

Q. Does he attend regularly to his duties under the regulations of the gaol? (A pause) Does he always do his duty? A. I would like to know if I am obliged to make this statement; of course it will go to the world.

Q. I must ask you, sir, whether he attends to his duties under the regulations? A. I do not think that he does.

Q. Is he frequently absent? A. Yes.

Q. Are there days when he never comes into the gaol at all? A. There are.

Q. Does he get your leave to remain away? A. No, sir. I have drawn his attention to the fact and shown him the gaol regulations; I have required his presence at certain times at the gaol. He should be there at meal times to see that the food is properly served and properly cooked.

Q. Do you know whether he made any objection to stone being broken in the yard? A. The objection that he made was that he could not attend to it, and that it would be necessary to have some parties to take charge of the men under the instructions of the turnkey.

Q. Do you believe that he could not attend to it if he looked after all his duties? A. I do not see but what he could attend to it to a certain extent: of course there might be times when he could not, but as a general thing he could attend to that branch of the work. He did not think it was part of his duty at all to look after the prisoners breaking stone.

Q. But if he took charge of the gaol in the absence of the turnkey, and the turnkey looked after the men breaking stone, would not that prevent the necessity of an extra man? A. Well, there is a difficulty in that direction too.

Q. Anything else that you want to tell the commission, Mr. Smart? A. There is one point. Some witnesses gave opinions with reference to young criminals. Their statements were to the effect that these criminals were mostly from England. Now, whether that meant from England, Scotland and Ireland combined I do not know; and whether they intended that it was these orphans that were brought into this country in large numbers I do not know. There have been occasionally since I have been connected

with the gaol, one or two objectionable people ; but those who come from the Old Country will compare favorably with the native-born young people of this country. That is my experience. There is another point I would like to draw attention to, and that is, that we have got an idiot confined in our gaol who has been there fifteen months or over. He has been certified by the physician to be an idiot, but he remains there.

Mr. JURY.

Q. Do you think it would be better if the common gaols in the Provinces were under the control of the Government? A. I had some hesitation last night in giving my opinion on that question, but thinking over the whole thing I have come to the conclusion that it would be better. There is a want of organization as it were under the Government and county councils combined.

Sheriff JAMES THOMPSON, of the county of Lanark, sworn :—

The CHAIRMAN.

Q. When were you appointed to the position you hold? A. In May, 1852.

Q. From your observation, do you think that the indiscriminate association of prisoners in the common gaols has a corrupting influence? A. It cannot have a good influence. I cannot give any specific facts.

Q. What is the population of Lanark? A. 32,000 or 33,000.

Q. And you had only 26 indictable offences during the year? A. Yes.

Q. You have a weak minded woman who is in and out of gaol and who is the mother of many illegitimate children ; a progeny of paupers and criminals, is gaol the place for that woman? A. She should be put in a place where she and her children would be looked after ; where she would be prevented from continuing this mode of life.

Q. You had ten lunatics last year, and you have three now. How many were of a mild class and not dangerous to be at large? A. Well, there is this old man we have in now, he is of that class. I think the only reason why we have got him in is that he cannot be kept at home. I think there is another of the same character in there, a man named Mitchell who at one time killed a man. He is back on our hands after having served his time in the penitentiary. He is not absolutely a lunatic ; you would hardly think that he is insane ; he walks round the gaol now and seems strange at times.

Q. You have had only two persons committed as drunk and disorderly during the year? A. They are only committed when they are disorderly ; they are not committed for simple drunkenness. I think we have had a better year than usual. I cannot recall the time accurately, but I think we had fewer during the Scott Act. I think that if our drinking customs were done away with there would not be much need for gaols at all or anything of the kind.

Q. Do you know what the effect of the treatment in the Central Prison has been upon the prisoners sent from your gaol? A. I do not know that they have come back. We would like to have another Central Prison in the east, nearer this end of the country.

Q. What in your opinion is the chief cause of crime? A. Drunkenness, I think. Of course there are some notorious criminals who are not intemperate.

Q. What are your views in respect to the Government taking entire control of the county gaols? A. I think if the Government did that, we would have more liberty to have certain improvements effected which are desirable and which are often obstructed by the

council, on account of their being the parties who have to bear the expense. I cannot speak disparagingly of our county council at all; we are friendly to them and they are friendly to us. A spirit of mutual amicableness prevails.

Dr. ROSEBRUGH.

Q. Do you not think that you should use your influence with the county council for the establishment of a poorhouse? A. I would be glad to use any influence I could exert in that way. The position they would take, however, would be this: that here we have a gaol with very few criminals committed for offences in it, and it would not be desirable for us to go to great expense in putting a poorhouse up when we have the gaol which can be used for the purpose; but I will do all I can of course.

W. H. GRANT, Gaoler, Perth, sworn:—

The CHAIRMAN.

Q. How long have you been gaoler at Perth? A. Ten years.

Q. What was your occupation prior to your appointment as gaoler? A. I was bailiff in the sheriff's office.

Q. Is it possible to have the cellular system in your gaol? A. Not as at present, but if we had all the old vagrants and civil prisoners removed we would have a better chance of carrying it out.

Q. Do you think it would be right so to confine a man who has neither been sentenced or tried? A. I think it would be better for them in any case to be by themselves.

Q. What effect has gaol custody upon boys? A. I have not noticed.

Q. Do you know how prisoners look upon the Central Prison? A. They dread the Central Prison very much. I would recommend the establishment of a Central Prison in the east.

Q. What are your views respecting the Government taking over the gaols? A. I do not think that there would be any necessity for it if we had proper classification and proper room. I have not any trouble in getting what I want in the way of repairs. Our council has been very fair in that way.

Q. What in your opinion is the chief cause of crime in the county? A. Laziness and drunkenness. I think where drunkards are repeatedly committed they ought to be put some place where they would be compelled to work until they show signs of change. I believe that for men who are committed three times and oftener, Central Prison treatment would be good. Rigid discipline would have a deterrent effect.

Q. Do you think that any of them could be reached by the mild treatment of an inebriate asylum? A. I think not.

W. MCVITTY, Chief Constable of Ottawa, sworn.

The CHAIRMAN.

Q. How long have you occupied the position of chief constable? A. Five years. I have been in the police force twenty-four years.

Q. How many divisions have you in your lock-up? A. Two, one for males and one for females.

Q. How many cells have you? A. Sixteen altogether.

Q. Do you find it necessary under your present arrangement to associate the various prisoners together: Take the males now—the boys, are they in the same ward with the men? A. They are in the ward, but in different cells. We keep them as far away as we can. And the women young and old are in the same ward, but as far apart as possible.

Hon. Mr. DRURY.

Q. If you had a prostitute in the cell in one end of the corridor, and a person not a prostitute were brought in, would it be your practise to put her as far as possible away? A. Yes, I would keep her as far separate as we could from the other, because being with a prostitute is generally very bad. Drunk or sober, prostitutes are not desirable company.

The CHAIRMAN.

Q. If prisoners are remanded for sentence, are they taken back to the cells or conveyed to the gaol? A. They are walked to the gaol.

Q. What effect has arraignment before the police court upon young lads brought up for the first time? A. Most of them seem to feel their position keenly for the first time and when they are locked up in the corridors, they are nearly all crying. You can nearly always tell a first offender in that way, because he will relate all the circumstances in the case, and ask for mercy.

Q. What are your rules as to the apprehension of little boys? A. If a policeman found a boy walking round at night, apparently without intending to go home he would caution him. We don't lock up boys on suspicion; very likely we would if a crime were reported and we suspected them, but if there is a boy that we suspect as not very good, a policeman would give him a warning to get off the street.

Q. Do you think that the first commitment of a young lad of from eight to twelve, or thirteen years of age, has a deterrent effect? A. I think the lighter the punishment for the first offence the better. If there were any other way of doing it, I would not bring him into the cells at all. I was a detective for twelve years and in that capacity I had power to talk to the boys outside before they got into the cells and to show them how near they were getting into serious trouble. Often I have known an employer hold on to a boy and give him another chance, and it seldom happened that that boy went wrong after.

Q. Had you a right to do that where a boy was charged with petty larceny? A. Where the boy is charged with larceny of a serious character there is no recourse but to bring him to the station.

Q. Do you think that some other plan might be devised in order to obviate bringing a youth to the cells. Could he be placed in custody in some house away from the cells, perhaps where a policeman was living, and where the officer would look after him and receive some extra allowance for doing so. Is arraignment in the open court as bad as the police cell association? A. I think that no boy under fourteen years of age should be brought before the police court for a first offence; I think if there were some way of disposing of him without his being degraded in a public court, or corrupted by evil associations in the cell, it should be adopted. I think gentle treatment would have a better effect than the frightening business. I think that speaking kindly and showing a boy the narrow escape he has had of serious consequences, would have a better effect upon first offenders than punishment.

Q. Take the case of a boy who has committed some petty larceny and has been apprehended, it being as far as is known his first offence; could that boy be taken to the house of a policeman, and could the police magistrate visit that house at a convenient time, take evidence in private and dispose of the case then and there? A. I think it could be done, and it would avoid degrading the boy.

Q. Would it not be possible in many cases, instead of the policeman's taking the boy to his own home, to leave him with his parents? A. In most cases boys who are brought up at the police court are the children of drunken parents, or widowed mothers who have little influence or control over them. It is neglect on the part of the parents that leads to the trouble, and it might not be desirable to leave the boy longer with them.

Q. A widowed mother would be as anxious to save her child from the disgrace of the police court as anybody else, and would it not be possible to save her also from disgrace? A. These mothers in most cases have lost control of the child. They may be well inclined, but their control is gone. A boy of twelve years old who gets into trouble may be a very smart boy, and it may be necessary to put him under restraint at once.

Q. The great object is to save the boy the disgrace of being in the cells. If the surroundings are of the character you have described, no good would be accomplished by sending him home again, but to send him to an industrial school would be a good thing would it not? A. It would indeed.

Q. As a general thing, how many boys pass through your hands in the police court in the course of a year? A. Seventy-five perhaps.

Q. And of this number, is there a fair proportion who are amenable to being reclaimed from bad ways; that is, if they are taken in time? A. I believe so.

Q. Would you recommend the establishment of an industrial school for Ottawa and the eastern section of the country? A. I think it would be a good thing. I think it would be well if this class of boys were sent to places where they could be trained and educated.

Q. Do you think that there is a sufficient number of unruly boys who have got beyond control, and who are fast drifting into vice to warrant the establishment of an institution of this kind? A. I think there is, and I think it should be established in such a way that where the parents cannot control their children, it would not be necessary to have them sent into prison before they could be admitted into the industrial school.

Hon. Mr. DRURY.

Q. Where it is found that the parent has lost control, or is unfit to have control of the child, would you be in favor of some enquiry being made with a view to ascertaining whether the child should be taken from the control of the parent and placed in some public institution to be trained and cared for? A. I think that would be advisable. I consider that a family of this kind is dangerous in a locality, where they get regularly about. They are in my opinion as bad as smallpox would be; where the parents are drunken and neglect their children, and where the children are not looked after, they are an injury to the city at large.

Q. Is it desirable to sentence boys for first offences to a long term or a short term, having regard to reformation? A. I think a short term is the best: I am not in favor of long sentences. A boy has a dread of the gaol for the first week, but he afterwards becomes satisfied with his position and in the third week he comes to the conclusion that the gaol is not such a bad place after all.

Q. Do a larger number of newsboys get into trouble than of other boys? A. We have 178 newsboys who are licensed. Out of that crowd you naturally would get a considerable number of bad ones. We do get a good many who are very bad.

Hon. Mr. ANGLIN.

Q. Have you any girls selling papers? A. Not many, only about four or five.

Q. You speak about the effect of bad boys mixing with good boys. Have you any idea of the effect of crowding families into alleys, such as a great many of the poorer classes are compelled to live in. Do you think that this defective accommodation

tends to generate crime? A. I think it does. I think a good boy soon becomes as one of the others, because bad boys have more change—more money—they are tricky and steal, and they have everything they want, consequently they become popular and good boys don't get those things when they belong to poor parents.

Q. Have you considered whether it would be possible to relieve the poor from herding together in this way? A. No, I have not. It would be hard to do so; you see they get these places cheap.

Hon. Mr. Drury.

Q. Do you think that in the case of the ordinary criminal, a career of crime is begun at a comparatively early age? A. I think so.

Q. If a young man grows up in the ordinary rank of life in this town without reproach and passes the age of from 18 to 23, do you think the probabilities are that he will be a good and useful citizen? A. I think so. It is very seldom that they become bad men if they do not show signs of it before they reach that age.

Q. You think that the state should pay special attention to keeping the young from falling into evil courses? A. I do. I think that to pick up young children who are likely to fall into crime, and train them properly, would be wise.

Q. I suppose it would be a good thing to lay down this maxim, "Take care of the boys and the men will take care of themselves"? A. I do.

Hon. Mr. Anglin.

Q. Will not boys taken to an institution be exposed to the influence of association with bad boys? A. Yes, some of the boys would be bad, but some are not very bad.

Q. Would you be in favor of getting these boys into Industrial schools for a limited time, and finding places for them in the community as soon as possible? A. I think a boy should not go out of an institution of any kind before he is 18 if the treatment is to be of any good to him. They ought to keep him there a sufficient number of years to reform his character. One of the mistakes they make in England is sending the boys out when they are too young.

Q. Do you not think that while in these institutions there is danger to be apprehended from association with bad boys? A. I think the bad boys would be improved out of their evil ways. They would be educated there and shown what they could do when they came out.

Q. You spoke as if a number of the children who are imported fall into bad ways, is that your experience? A. I think so; quite a number of them as soon as they get out of employment fall into the old habits that they had been picked up for in England.

Hon. Mr. Drury.

Q. I saw in the court house this morning four little boys in the prisoner's box, we saw them yesterday in the gaol. How long had they been in the gaol? A. About a week.

Q. Now there appeared to be ample room there to keep them separate, and looking at the character of the boys, which is well known to yourself, and well known to the gaoler, and everybody having to do with criminals here; do you think it was a wise thing to put those four boys in a cell and allow them to be practically uncontrolled for a week? A. Those four boys are charged with the same offence, they live in the same street, and they went out together to the country to commit the theft of fowls with which they are charged. I do not know that you could get four boys from the city together where there is less necessity for their being kept separate. They are a band of young scoundrels who would not make each other the worse.

The Chairman.

Q. Do you think that improper and imperfect classification generally has a bad influence on certain of the less hardened prisoners? A. I think so. I think that mixing them up has a bad effect.

Q. In Ottawa no less than one-half of the prisoners in the gaol during the year were committed for drunkenness and disorderly conduct and a considerable portion of these were re-committals. What would be your method of treating those who have had five or more convictions? A. I think these men ought to be kept long periods at punishment. I would say give them six months at least in the Central Prison. Hard labor and rigid discipline, and strict rules and regulations would have a good effect upon them.

Q. Have you noticed what effect Central Prison treatment generally has had upon prisoners? A. It is looked upon as a terror to evil doers. They would rather have five years in the penitentiary than two years in the Central Prison. Those who have once been in the Central Prison don't as a general rule want to go back there again. They are not afraid of the penitentiary; they don't think it is a bad place at all: it is known to be very mild in point of discipline, and there is little or no work there. They would rather be sent there than to the Central Prison.

Q. What about the Penetanguishene reformatory? A. Penetanguishene has done good to the parties that we sent there; we never send many and I have known only of those who went there two who fell back to crime.

Q. Do you know some who have been there and returned to Ottawa now living a reputable life? A. Yes, I know men who went there who have come back here and who are working as tailors and doing well now, following their trade: most of those who went from Ottawa learned tailoring there, and they learned to play brass instruments. A young man * * learned his trade there and learned to play a brass instrument. He was a very bad boy at first, but when he came back he was entirely changed and supported his mother.

Q. Do you know many cases in which hardened prisoners deliberately set to work to teach young boys crime? A. I do not know that I could name any direct instance; but there have been such things as making appointments to meet parties and work together when they leave gaol.

Q. Do you think that it is rather a rare thing for a hardened old criminal to deliberately teach a boy the ways of crime? A. I do not think that it is often done. The men who are experts in crime will not readily give themselves away; they are generally reserved men, they are not talkative until they know pretty well whom they are talking to.

Q. Is not the association of female prisoners who are not prostitutes with prostitutes the worst phase of bad classification known in gaol life? A. Yes, I think there is nothing worse; a great number of young women will go astray through association with prostitutes

Hon. Mr. Drury.

Q. Does a prostitute generally evince a desire to make what would otherwise be a pure woman as bad as herself? A. There is a class who do, and who even try to make a business of it.

Q. Do you find second-hand shops bad places for the spread of crime—leading to petty larceny and petty offences of that kind? A. I think they are, if they are not well looked after. Young criminals can easily dispose of what they have stolen in that way. Persons who keep these establishments encourage boys to steal, or men either.

The Chairman.

Q. Now, what in your opinion is the chief cause of crime in the community? A. I say whiskey.

Dr. ROSEBRUGH.

Q. Don't you think it would be a good thing to exclude young men as spectators from the police court? A. I would say so in some classes of cases. We do here now clear the court in indecent and criminal assault cases while the evidence is being taken.

Hon. Mr. DRURY.

Q. A large number of young people I noticed were assembled in the police court this morning. Do they belong to the town? A. Well, they are sympathizers with crime; they are parties who associate with people in crime outside. This was a sample of our police court audience every morning.

Sheriff SWEETLAND, of the County of Carleton, sworn.

The CHAIRMAN.

Q. How long have you occupied the position of sheriff? A. I have been ten years sheriff, and I was gaol surgeon for five or six years before that.

Q. You have heard the evidence about the classification in gaols; what are your views on the subject? A. I think the commingling of prisoners has a very bad effect. I think classification is very necessary in all our gaols.

Q. I understand that the county authorities have taken steps to improve the classification in your gaol and that you will shortly be able to have nearly twice the capacity for classification that you now have? A. Yes.

Q. But even then will you find it difficult to have perfect classification? A. Well, you could never call it perfect I suppose, but if we got rid of the non-criminal classes I think we could make it pretty fair. If we got rid of the vagrants and those sent in for no crimes—indigent people who are not capable of earning their living—this would enable us to make a better classification of the criminal classes.

Q. To this end, would you recommend the establishment of a county work house or poorhouse? A. Yes, a work house and a poorhouse combined. I really think the county ought to do something for that class. We are pretty well provided with private institutions in the City of Ottawa.

Q. Has the Central Prison treatment a deterrent effect? A. I think it has. I hardly ever send a prisoner to the penitentiary who will not prefer going there to the Central Prison.

Q. Do you think it would be a proper course to establish an industrial prison of the same order sufficiently large to meet the necessities of the case in the eastern portion of the province? A. I think so. It certainly would enable us to make a still better classification of the remaining prisoners.

Q. Have you much trouble with the commitment of insane persons to your gaol? A. Yes, we have a good deal of trouble sometimes.

Q. Of the number committed to your gaol last year, how many were proper subjects for treatment at an asylum. You are a professional man, doctor, and can tell us? A. I should say quite two-thirds of them. The remaining third, would be better fitted for a poorhouse or workhouse.

Q. Do you think that a poorhouse with a ward for that class; that is, for those beyond treatment, with a view to cure, and not of dangerous proclivities, would be a good way of taking care of them? A. I think it would, if not the very best way.

Q. Could the cellular system be carried out in the county gaols if all the sentenced prisoners were removed from the gaol? A. Well, it would be difficult; I think not.

Q. Do you think it would be a proper method of confinement in respect of prisoners awaiting trial? A. I think not. I think persons waiting trial should not be shut up in a cell. I suppose there may be cases where some of the more intelligent would prefer that.

Q. Do you think they would prefer to be in a separate cell for three months as a general rule? I do not think they would like to be shut up in a cell all that time.

Q. Could your gaol be rearranged and added to so as to make it an industrial prison? A. I think so.

Q. Do you think that the commitment of boys from eight to thirteen or fourteen years of age is a proper mode of treatment from the standpoint of reformation. A. I do not. When a boy first comes to gaol he feels his position acutely. He feels the degradation, but when he comes back the second time he is quite indifferent. I think it would be better not to send these boys to the gaol at all; or the magistrate should commit them for a short term and let them be kept entirely alone on the cellular principle. Let them be kept say 24 or 48 hours and punish them by giving them a light diet and by their having no person to speak to. Let them feel that it is a punishment for the first time, and after the second offence, that is when a boy either comes up for the second or third time, I would send him to an industrial school or reformatory on a long sentence. There is very little hope of him after he has been in the second or third time.

Q. Do you think an industrial school is required in this section of the country? A. I think it would be one of the best institutions that we could have, and would have a decided tendency to reduce the number of our criminals.

Q. Do you think that any great number of those youths that are floating about in the police cells and in the gaols are importations from the old country? A. No. We do not get many of them. We have occasionally a few, but our gaols are filled generally by those belonging to our own people.

Q. What in your opinion, sheriff, are the chief causes of crime in the community? A. First intemperance, then idleness and ignorance.

Q. Do you think that improper control of children is the foundation of a good many falling into evil courses? A. Yes; and that is the consequence of intemperance on the part of the parents.

Hon. Mr. DRURY.

Q. Do you think it desirable to have a truant law for the Province of Ontario; that is, a law by which truants who are supposed by their parents to be at school, may be dealt with? A. I think it would be better if we had such a law. Boys who are in the habit of playing truant get into association with other idle boys, and this leads to crime.

The CHAIRMAN.

Q. Have you any association in Ottawa to aid discharged prisoners or look after them; to exercise some supervision over them, and endeavor to get them work? A. No, there is no organization, but there are several ladies who take an interest in it. Miss Wright, especially, takes a deep interest in work of that kind.

Q. Do you think it is rather important to have an organization of that kind? A. My opinion is that it is not of much avail. I have an idea that you cannot do much with old criminals, either male or female. After they are grown up there is not much hope for them; you can do a great deal more for the young, and to that end I think attention should be directed. It is more important to take measures for saving children from falling into crime than to attempt to reclaim the adult criminal. If the state should make it compulsory for every child in danger of falling into evil habits, to go to an industrial school or institution of that kind; that is, in cases where the parents are known to be viciously inclined and to neglect their children, and to allow them to wander

about at night and send them out in the morning with scarcely anything to eat, and encourage them to beg and steal. We have a good many instances of this kind in this city. Some of them have been brought under my notice lately—small children ranging from twelve to fifteen years of age. The mother tells the child to go out in the morning and says in effect, 'You have to bring something home in the evening or you know what will be in store for you" From that class of parent, the sooner the child is taken away the better in my opinion for the child and the community.

Q. With regard to the drunk and disorderly classes, what would be your method of treatment? A. After the second or third offence, when it appears that the men are becoming confirmed drunkards, long sentences would be to their advantage—their only hope of redemption.

Q. Do you think that the rigid discipline of an institution specially prepared for the purpose, with plenty of hard labor, would have a deterrent effect upon these men? A. I think so. But I do not think that sending them to the Central Prison for less than two years would have much effect. I do not believe that short sentences would be of any use. It is no use—or practically no use—putting a man into an inebriate asylum for six months. Then I would not put the drunkards in prison clothes. I would have a section of the prison set apart for the inebriates, where they could have plenty of work, where they could get ready advice from the chaplain and from the surgeon, where they would be subject to moral influence and restraint. I think in this way we would be able to do a great deal of good.

Q. Do you think that with this treatment any considerable proportion of the younger of these men would be reclaimed? A. I do.

Q. Would inebriate asylum treatment have much effect in reclaiming those classes of drunkards who have been committed frequently to the common gaols of the Province? A. I do not think so.

Hon. Mr. Anglin.

Q. An opinion seems to prevail that there is some kind of medical treatment other than the mere building up of the physical man, by which a mania for strong drink can be effectually cured? A. I do not think there is. I do not believe that there is. I have given some attention to this matter, but I do not know of any.

The Chairman.

Q. You have heard of the Swedish system of surfeit? A. Oh, yes, but I do not believe in it. I may say that in my opinion drunkenness is not a crime; with a great many men it is a misfortune.

Dr. Rosebrugh.

Q. Do you believe that prolonged separate or enforced abstention from whiskey is a means of reclamation? A. The only means I think is to build up the system that has once been wrecked by keeping the man at constant labor and occupation of some kind—keeping him away from drink and his old associates altogether, and in this way he would in time grow sufficiently strong to resist temptation. He would form good resolutions, but unless they had time to strengthen he would be apt to fall as soon as temptation presented itself.

Q. Have you any hopes of accomplishing this cure in less than two years? A. No, I do not think so. My experience is that if they come back within two years they are apt to fall again.

The Chairman.

Q. Are any considerable number of people cured by long terms of treatment. A. Yes; of the class who have been subjected to that system of treatment, a considerable number have been cured.

Q. That is the intelligent, educated class? A. That is the only class I mean. That is the only class upon whom inebriate asylum treatment has been tested.

Boston, Mass., July 21st, 1890.

Present:—Messrs. J. W. Langmuir, Chairman; Hon. Chas. Drury, Dr. Rosebrugh, A. F. Jury, Esq., Hon. T. W. Anglin.

Fred. G. Pettigrove, Secretary and Executive Officer to the Commissioners of Prisons, Massachusetts, gave evidence as follows:—

The Chairman.

Q. How long have you held your present position? A. Since June, 1888.

Q. What position did you hold prior to your appointment? A. I was clerk of the state prison at Charleston for several years, and was at Concord before that.

Q. How many years were you there? A. Five and a half years, and I was five years in the state prison as instructor. My experience extends over some twenty-four years. All my life in fact, with the exception of about four years, when I was in the western country, has been spent in connection with the criminal classes.

Q. Will you describe generally your prison system? A. Our towns have lock-ups; in the cities the police station is the lock-up, and in the city of Boston, in addition to the station lock-ups, we have the central station called the Tombs, near the court house. In the lock-ups are placed persons who are held for examination the following day. They only remain there from the time of arrest until they are brought before the court next morning. They are separated entirely in respect to sex, but there is no further attempt at classification among the prisoners in the lock-ups. Those who remain over Sunday are taken to the Tombs.

Q. Have you found that the indiscriminate mixing and association of prisoners has a bad effect? A. I should not think it can have a very injurious effect because the men have no opportunity of communicating with each other. They are locked up in separate cells. A system under which the prisoners are not locked up in separate cells would in all cases be a bad system. If in the police station we cannot accommodate more than are already confined in the cells there, those in charge have only to send for a carriage to have the prisoners transported to the central lock up—the Tombs. We have in Boston provision made for detaining women who are arrested for crime and persons held as witnesses in separate prisons altogether. This is a state prison where they are merely detained—a house of detention—pending being placed for trial. I may say that the majority of women and men arrested for drunkenness and creating disturbance come in at night, and the majority of those for other offences would be arrested in the day time and brought immediately before the court or the magistrate who disposes of the cases generally and admitted to bail; or it may be committed to the Suffolk county goal or Charleston prison.

Q. How would you meet the difficulty of evil association, where prisoners although confined in separate cells are in the same corridor? A. The only way that it could be met would be by having an additional number of lock-ups. Our law of 1884 provides for establishing separate lock-ups for women. We have not got so far as to separate the female prisoners into different classes; in fact, the only classification that we make of prisoners waiting trial is by sexes; but there is a great evil connected with the system of lock ups the world over. There is no doubt about that; in fact, the same may be said as well about prisons. Prisoners here are taken in waggons to the court where they are to be tried. There is no separation in these that the law requires, but we do as a matter of fact separate the prisoners. The judicial proceedings are all in open court.

Q. In the case of young boys or girls who have been committed to the lock up for first offences, and brought into open court for trial, do you think that that has a hardening effect upon these young persons? A. Possibly, but I have never given much

attention to that. I do not think that a trial in open court of a youthful criminal would have a hardening effect upon him. I think it frequently operates the other way and has a deterrent effect. I think that the youthful criminal is so much impressed with the appearance of authority that he practically would be deterred without any further punishment from committing an offence. I think there would be grave objections to a private hearing—that is, to give anybody a right to a private hearing, because if they hear one case privately they should another.

Q. Take the case of a boy brought up for a first offence would it not be better to have his case disposed of privately before a magistrate, and thus avoid the disgrace of his being brought into an open court? A. In practice that is substantially what we do; the law requires that a boy under a certain age shall be brought before a court. The board of lunacy and charity are invited to be present at the trial and the agent of that board attends the court and if he finds that it is a first offence and that the boy is likely to reform, the magistrate commits that boy to the charge of the board of lunacy and charity, and puts him under what is known as probation; or it may be, he sends him to the state primary school. Nominally the trial is public, but it is in reality not public because all the conversation that takes place is conducted in a kind of private way between the agent of the board of lunacy and charity and the justice who tries the case. And these cases are brought up, in all probability, in the afternoon, after the rest of the cases have been gone through.

Q. Are your common gaols under the direction and control of the State or of the counties? A. They are under the control of the counties; they are maintained by the counties and the officers are appointed by the sheriffs of the several counties; but the rules for the government and discipline of the prisoners are made by the commissioners for prisons. The commissioners are required to inspect the prisons semi-annually for the purpose of seeing that the rules are complied with, and that the gaols are kept clean and in every way in proper condition. I do not think that the management and the discipline of the gaols would be improved by being completely under the state control. I think it is better to allow the counties to have the business control of their own local gaols or prisons. The state now controls the discipline. So far as the rules are concerned, the gaols are subject to the commissioners, who inspect the prisons and see that the rules are carried out. This I think is the best way of securing efficient management. The prison commissioners if they find imperfect discipline or defective construction have authority to order a change, and if the order is not attended to they have power to enforce their recommendations, but that has never yet been done. They have, however, the right to make a complaint to the superior court. This power has never been exercised; it has only been necessary to call attention to the defect in order to have it remedied. The county commissioners have the authority in each county, except the county of Suffolk. They are elected for three years, but one retires each year; they have in addition to the control of the prisons a great many other things to look after. The county commissioners have charge of the dietary of the prisoners. The officials have no pecuniary interest in the dietary. That would not be permitted. The commissioners are paid for their services. They receive in some counties as high as $2,000 or $3,000 a year, and there are commissioners who receive as low as $100 in others. They give proper attention to the carrying out of the instructions or regulations provided by the State commissioners. There is no work in any of the gaols to speak of. They are mainly used for the detention of persons waiting trial and of witnesses. In a few cases, and in a few only, men are sentenced to the gaols—enough to keep the gaols clean; sentenced prisoners as a rule go to the house of correction.

Q. Explain how your Houses of Correction differ from your gaols? A. In thirteen counties there are houses of correction. These receive only persons who are sentenced. There is a house of correction in every county, I think, except four. The county commissioners are required to provide the means for the employment of the prisoners in these. Within the past few years the State has established an office called that of the superintendent of prisons; really he is a superintendent

of prison labor, and he is required to see that the prisons are properly conducted in this respect, and that the men are properly employed. Those sentenced to the house of correction serve for any term not exceeding five years. The largest number in any house of correction is about 500. In South Boston there are 500 prisoners confined, and there is another house of correction where there are 500, that is Middlesex. In Plymouth, where there is no large city, in fact it is the only city in the county, the house of correction has got about 50 inmates. In some counties there are three or four houses of correction. In Essex county, where there are four houses of correction, the largest number of prisoners in one would be 230, and the smallest number about 100. The prisoners are employed in various industries. In Middlesex they make brushes; at South Boston they make cloth; in most of the other places they are employed in making shoes, harness, cane seating chairs, etc. I don't at the moment recall any other industry in the house of correction. Short sentenced prisoners are put into the shop and set at work caneing chairs or making heels for boots or something of that kind. In one place all the prisoners are kept making boot heels. I would like to explain that in nearly every case the house of correction adjoins the gaol and is connected with it. There are only two exceptions to that. One is at Ipswich and the other at South Boston. There are five gaols that have no house of correction with them; they are situated at Boston, Newbury Port, Taunton, Edgartown, and Lowell. The latter is one of the best gaols in the country and has more prisoners than any gaol in Massachusetts, because it is in a part of the country that is very populous and situated in the largest city in the county, and it has no house of correction connected with it. The prisoners under sentence at Lowell gaol do very little work. They do something I think in connection with the shoe industry, but I am not sure about that. They, however, have no long-sentence prisoners at Lowell; they usually transfer them to the house of correction at Cambridge in the same county. The man who has charge or who superintends the establishment is appointed master of the house of correction and keeper of the gaol. I think this works economically because we can maintain these institutions where they are combined under one head much more economically than as two separate institutions. We could not carry on these houses of correction without means of employment. I may say that we have been very much troubled during the last half dozen years through the efforts of a certain class of persons in Massachusetts to abolish all prison labor. We have no prison in the State where the prisoners are confined on the cellular or separate plan, but all our prisoners are confined in separate rooms. A sentence to the State prison always carries with it one or two days' solitary confinement; that simply means that the prisoner is kept a few day in his cell and not employed there. The longest term that a prisoner has ever been confined is five days, and such confinement is restricted exclusively to the State prison. Prisoners who are waiting trial are always kept separate but not employed. They have no right to associate with the other prisoners, but I have no doubt as a matter of fact that prisoners do occasionally meet and talk with each other in the corridors. The cell door is open iron work. The general size of the cells varies from eight feet by five feet wide to eleven feet by eight feet wide. I think the prisoners could speak to each other from end to end of the whole corridor; but our prisons are constructed with a central guard-room, so that the officer can constantly hear all that is going on.

Q. Would a prisoner sent for trial from the police court, say on the 1st October, for the assizes to be held on the 1st of January be kept confined in one of these separate cells all the time. A. The gaoler might allow him to go out doors once in a while. As a matter of fact there is no special provision in our laws as regards this. But our courts sit oftener than that—about once a month in the city and in the larger counties, and perhaps once in two months in the others. If the keeper had two or three desperate criminals you may depend upon it he would keep them apart; and on the other hand, if he had two or three men in for first offences he might allow them to go together; as they are waiting trial he would not consider they should be brought under the same rigid discipline as if they had been convicted. I regard locking up all those who are waiting trial as pretty severe punishment. I think it is right to punish a man if he is known

to be a desperate character, not however for the purpose of punishment alone, but with the object of restraining him and keeping him secure. As a matter of fact, these prisoners can communicate with each other by voice. It is not the separate system known to penologists as the Belgian system. I think I would not approve of such a system for prisoners waiting trial. I think it is rather severe punishment to shut a man out from communication with anybody else, and it would operate more hurtfully against a man waiting trial than a man receiving sentence ; because a man serving sentence is receiving visits from the instructor several times during the day and a man waiting trial may receive visits from nobody. The absolute seclusion from all intercourse might in some cases lead to insanity. If he had to stay in one of the county gaols two or three months, solitary confinement for that time would be a terrible thing. I do not think that the spread of crime and vice is largely due to the corrupting influence of the common gaol. I think you might find instances where men of depraved tendencies had been encouraged in criminal courses by associating with older criminals ; but I do not think that condition of things obtains to any considerable extent. I think that if the cells were used for sleeping apartments only and the corridors were used as the rendezvous where every man can speak with another, the effect would be bad. I have never known cases of old and hardened criminals instructing boys and novices in criminal courses. I have known them in innumerable instances to warn the young against that course. My experience has been that the men who are most dangerous to the community are the best behaved men in prisons, and if their example were as good as their precept they would be splendid citizens and members of the commonwealth. For instance, one of the most notorious bank burglars in the country—who had been committed for ten years, took the opportunity of cautioning a boy committed to the prison to be warned by his example not to continue in a life of crime. The law does not permit two prisoners to be placed in the same cell, but I presume that when the gaol has been overcrowded they have done so. Prisoners in the House of Correction are classified only by sex. Our general rule is that the prisoners shall be locked up in the gaol, but as I said the gaoler allows some discretion to the prisoner in putting these men out for exercise. The law has been so amended that practically a sentence to the gaol is just the same thing as a sentence to the House of Correction and *vice versa*. Prisoners get removed from the one institution to the other as the sheriff directs.

Q. Are these institutions outside the cities? A. Lowell gaol is right in the city. The Middlesex House of Correction is the same. In Suffolk and the thickly populated districts, such as Ipswich, Salem, etc., the gaols are in the suburbs. I should think that about half are in the thickly settled communities and half in the suburbs. Some have land for cultivation. Insane persons are sent to the lunatic asylums. We have poor houses in the large towns. In the rural parts we have a few ; they are not established in all. The classes who are known as drunk and disorderlies are committed to the gaols. Where a person is suspected of lunacy he is kept in the lock-up with an officer in charge and if after examination he is adjudged insane by the Court, he is removed to the asylum. The judge of the court commits a lunatic except as regards the state prisons and from them the men are committed on the certificates of two experts in lunacy. When a lunatic is found in a family he must in most cases go to the court.

Q. What are your views respecting prison labour? A. A prison should be self-supporting if possible. I regard labor as a most important element in the prison system. A man should be taught habits of industry ; I am speaking of the penitentiary and House of Correction. I think that in all these establishments the prisoners ought to be taught the habits of industry, and if possible so instructed that they shall be enabled to obtain an honest livelihood when released from prison. Work is a matter of livelihood and the man who will work in prison, in my opinion, will work outside if he gets an opportunity to do so. As to the proportion of these men who follow the trades that they learn in prison, I have no statistics but I think that a good many do follow the occupations that they are taught. They are not in all cases taught trades, but it is the same as learning trades for them. In the House of Correction, for instance, none of the large industries are carried on, with the exception of the harness industry,

and that is only in New Bedford. The prison regulations have made it impossible to carry on others. In some cases the prisoners learn to put shoe heels together. In some establishments they turn the shoes out complete. In a House of Correction it is not possible to teach men trades because the sentences are so short. In our State prison we receive no man for a shorter period than three years. If we could have our industry so organized that our men could learn the workings of machinery we might make them of great value, but this is always liable to objection, for when we teach men anything that would enable them to get along outside the cry is raised that it competes with outside labor. It may be that brush making in the gaol has destroyed that industry outside and that therefore men cannot follow that trade when their term of sentence expires; but there has been so much opposition to prison labor that it has been almost impossible to employ it. The county commissioners for Middlesex wanted to employ prisoners in this way and they obtained the requisite machinery, but unfortunately they excited antagonism and the result is that those outside who object to this labor have to put up with a system which is even more injurious to themselves; in fact they will allow prisoners to work in some occupations for little or nothing; this enables the contractors to get the prisoners' labor for comparatively nothing, because under our new laws there is no competition for prison labor.

The work in connection with the prison is generally applied to the coarser articles put upon the market. I may say that when the contractors were able to have things their own way the firms made a considerable amount of money out of prison labor. Of course there was a good deal of competition for the work. The prison in Charleston was self-supporting, was making money, was run with a surplus of $250,000, and there was not the opposition to convict labor being applied in a remunerative sphere that there is now; because the men were not working for nothing and they were not reducing the wages of men outside. The products from the prisoners' labor were not being put upon the market outside cheaper than other goods. Some of the manufacturers did object at that time, but the opposition came chiefly from the working man when the labor was let out upon the contract system. Now, at Charleston the State gets goods manufactured on its own account and the manufacturers complain. I think that if the State selected some industry suitable to prison labor and not in existence in the State, and having given warning that it would take this as a prison industry, established it in the prisons, that would not be unfair to the workmen or the manufacturers. The objection to it would be that the men upon serving their term would have no knowledge of any occupation that would be useful to them after they got out of prison.

My ideal system of prison labor is one of a diversified character. Many of the prisoners follow their trades when they leave the gaols or penitentiaries, and in their case labor is found to have a reformatory influence. I know a great many men who learned to carve furniture in the prison and they were employed at the same work afterwards. It is a fair inference I think that men who have some useful occupation are more likely to succeed than those who have not; but there is no perfect means of knowing of course. I can not say whether it would be possible to tell by the number of re committals in the different establishments the number of men that are taught a trade and follow it afterwards as compared with those who do not follow it. Our system has been considerably mixed up during the last twenty years. The statistics are somewhat reorganized. Twenty years ago of our commitments to the State prison about 20 per cent. were re-committals. To day they are about 15 per cent. They make harness, trunks, shoes, tinware at Charleston on the State account system. The State buys the material, manufactures the article and sells it in the open market at a price which must not be less than the wholesale market price as determined by the warden and the superintendent of labor. An officer is appointed by the government for the purpose of directing the labor in connection with all the prisons of the State. The only objection to the contract system that I have ever known is that it results in lack of discipline, but I think that when it is carried out in a proper spirit it may be managed without this objectionable feature. It could be carried out so that the agent of the State acts as the instructor of labor, and this would provide that the men from the outside would not have such direct relations with prisoners. A system, partially contract and partially State account, might be introduced.

We are making an experiment at Charleston prison in the work ; or, rather, I should say, in the plan of labor. So far it has worked very well, but I am basing my theories to a large extent on the system of other prisons. I think that better results would be got under the piece price system or partial contract and partial State account, where the State provides the labor and instruction and the contractor the material. Under that system we get as much work out of the prisoners as you could under the contract system, and it is not liable to objection except where the contractor is allowed to do something that is objectionable—is allowed to say to the prisoner after he has done a certain amount of work, "I will pay you so much for the balance of the work if you will do it."

Q. Do you think the contract or the State account system of labor is the more likely to have a reformatory influence upon the prisoner? A. I do not think that there would be any practical difference ; if you get the diversity of industries the result will be the same in that respect whether the contractor or the state is the employer of labor.

Q. Would you favor a system in which the prisoner got a portion of the sales' value of the products of his labor in order to encourage industrial habits? A. That is a question that we have been discussing more or less for a year or two ; personally I do not think that we should ; if you could bring the prison system to such a state of perfection, that this could be done without calling upon the state to bear the costs, the prisoner or those who would be supported by him, were he outside, might be allowed a portion of the proceeds of the labor ; but even then I think it is wrong in principle to establish such a method. The reason I have heard and learned for giving to the families of prisoners part of the men's earnings is that the families are deprived of their support; that reason would apply to every class in the community.

Mr. JURY.

Q. Don't you think that the man who is an expert at his trade is in danger of getting a longer sentence when convicted of an offence than he ought to have simply in order that the State may reap an advantage from his labor? A. I have heard of a judge who would send a man to the county gaol for thirty days because he was a blacksmith and the judge wanted a little iron work done, but that was a joke ; I do not think that a man was ever sent to gaol for this purpose ; I think that the piece-price system is less objectionable to the manufacturers than the old system of contract labor ; the assumption is that the article will not be produced at less than it can be by free labor ; if the prison authorities were to adopt some system that would not interfere with any outside labor carried on by any considerable section of the community, I do not think that would be the best thing for the men, but I think it would solve the difficulty in a great many communities if such a system could be established. The only objection it is liable to is that you would accustom the prisoners to work inside the gaol that they would be unable to follow outside ; a penitentiary having 500 prisoners could not restrict itself to labor for its own wants if it is to be made useful for teaching the prisoners trades and occupations which they may be able to follow afterwards, or to exercise a wholesome reformatory influence.

Q. What would you think of a system of land cultivation? A. It would be desirable to keep the prisoners at work on a farm, but there is this difficulty, that you can only employ men in that way a part of the year.

The CHAIRMAN.

Q. What is the meaning of the indeterminate system of sentence under the laws of your State? A. The indeterminate sentence means that when a court convicts a prisoner it shall not fix the absolute term of his imprisonment, but shall direct that he be sentenced, say to the Massachusetts Reformatory, for any term not exceeding the maximum fixed by the Statute. The Statute provides in effect that any convict sentenced to the Massachusetts Reformatory for drunkenness, for being an idle and disorderly person, for vagrancy, and some other forms of misdemeanor, shall be held therein for any term not exceeding two years ; and any other convict—that is, for felony, burglary, or other crimes, may be held for a term

not exceeding five years—that is the indeterminate law as applied in the State of Massachusetts. The prisoner is released upon a permit granted by the prison commissioners when it appears to them that the prisoner has reformed ; this law is only applicable to Concord Reformatory, no Statute provides that persons sent to the Concord Reformatory shall be selected prisoners only. A judge may sentence one man to the Massachusetts Reformatory and send another to the penitentiary who has committed a similar offence. The sentences to Concord are restricted in this way, that a man shall not be over forty-five years of age and that he shall not have been committed more than three times. If he has been committed to any other prison four times he cannot be sent to Concord. The commissioners of prisons can take a man from Charleston prison and send him to the the Reformatory if he is considered an eligible subject.

Q. Say that a man commits a forgery for which under the law he could be sentenced for seven years, could his sentence, by his being sent to Concord Reformatory, be reduced from seven to five years? A. He could not be held for more than the five years ; if the judge thinks he ought to suffer a longer term of imprisonment he must sentence him to the penitentiary. The maximum period of sentence is fixed in the Statute governing each offence, but the judges fix the minimum.

Q. Could the system of indeterminate sentence in your opinion be advantageously applied in the case of a prison for male adults where the prisoners are confined for periods varying from one month to not exceeding two years? A. If you could hold them all for two years then I think it could be done, but I should not think it would be practicable under the existing law,—that is, with these varying sentences. If a man sent to Concord, conducts himself very badly there, the commissioners may transfer him to any prison except a State prison, for any term equal to but not exceeding the full period of his sentence ; the commissioners cannot increase the punishment that has been awarded by the judge.

Q. Could the indeterminate sentence be advantageously applied in the case of youths under the age of fourteen years sentenced to a reformatory for boys? A. Oh, I think so. We have practically that system now for boys under fourteen. The court sentences to the Lyman school for boys at Westbury and we keep the boy there to be held during minority, unless his conduct justifies his release ; or he is put on a farm or in some other position, so that we have practically this same system in operation here now. I think that the system could be applied to all male prisoners sentenced to the penitentiary irrespective of the offence committed, but it would be too much to undertake that because the class of offenders who go to our State prisons, for instance, are men who have committed very serious offences and they are sentenced in view of the testimony in each case given before the court, where there is an opportunity for cross examination and where there are men fully competent to judge whether the testimony amounts to evidence or not. Now, there is no board that could exercise judicial functions closely enough to determine whether such a man should be allowed to go out in a year or two years. Were a sentence unduly shortened I think it might have an injurious effect, just as a pardon has occasionally now. I have no doubt that the system would have a tendency to produce good prison conduct with a view to shortening sentence without thorough moral reformation : in other words would tend to make a good prisoner but not a good man, and that would make it objectionable to apply it where old offenders are confined. These men have sufficient skill, resolution and self-control to conduct themselves with strict conformity to the rules, and to do that does not cost them any great amount of effort. It is not a great mental strain for them ; whereas, by applying it to boys we make it sufficiently comprehensive, so that when a boy has perfect self-control we know it has been to him a period of self-denial, of mental discipline, and therefore his character would be improved. A dissembling boy who observes all those rules for five months must have trained himself, so to speak, must have undergone a period of severe discipline to do it.

(At this stage the Commission adjourned and the remainder of Mr. Pettigrove's testimony was given in the evening ; the Commission having meanwhile visited the State reformatory at Concord.)

The CHAIRMAN.

Q. What in your opinion is the chief cause of crime in the State of Massachusetts? A. That is a question that it is almost impossible to answer. It is generally said that drunkenness is a cause of crime, but I do not believe that this is true to the extent that some people argue. In Massachusetts, last year I think three-fourths of the entire arrests were for drunkenness A great many who go to prison say that they would not have committed the offence of which they have been convicted except for the fact of their having been drunk, but I believe that there is a great deal of truth in the old maxim that says that what is in a man when he is sober comes out when he is drunk; and if a man had not a criminal disposition he would not commit crime; so I do not think with many that the majority of these crimes are due to drunkenness Larceny from the person, breaking and entering, and larceny in a building, and serious offences generally, I think, are not as a rule caused by drunkenness—because ninety-nine times in a hundred these offences are committed by men who have unlimited use of their faculties, and who require to have unlimited use of their faculties to work successfully. I have heard a man say that he never stole a horse except when he was drunk; but I do not think that story is true, because the man was always successful in getting away with the horse, and the probabilities are that he would not have been had he been drunk. I suppose so many of the criminals that are found in the common gaols are drunkards that ordinary men believe in the fallacy that criminals are all drunkards. If you go back to the cause that produced the criminal, you might find that drunkenness has caused some deficiency in the father or mother; that there have been some lamentable conditions surrounding the young man who has got into trouble. In one district of Boston the inhabitants are made up of poor and vicious families; the children trained there fall naturally into robbery and form a criminal class. They receive no training except a training in crime.

Q. Do you believe in the heredity of crime? A. To a certain extent I do. I think that a boy whose father is a thief and whose mother is a drunkard is very likely to be a criminal himself; not perhaps so much on account of the evil taint in his blood—I would not go so far as to say that—but he must have a predilection that way and the lack of home training which can never be supplied at any institution. If you are familiar with institutions you must know that if you put a dozen boys into a class with one vicious boy, instead of the eleven good boys making the bad boy better he will corrupt the whole class in all probability.

Q. You will not go so far as to say that criminality is bred in the blood, but that the associations of the child with a criminal father or criminal mother, apart altogether from the criminal tendency, will naturally bring out criminality in the child? A. I do, because he has not the moral training which is requisite to make him a good man. A boy might have some inherent deficiency in his nature that could not be supplied; as Colonel Tufts expresses it, he might lack the fibre through being the child of vicious parents. We find a great many of the criminals defective physically as well as morally. A weakly child I think is more likely to fall into crime.

Q. What is your method of dealing with those committed for drunkenness and disorderly conduct, who are in and out of gaols a great number of times? A. There is no method except re-commitment time after time. Many of those up to forty years of age who have not been more than three times convicted, are sent to the reformatory at Concord. We find so many cases where men have relapsed that we doubt whether it has any lasting effect upon any; but I think that Concord has done more in that direction for that class than any other institution that I know of. There are not a few instances of men apparently confirmed drunkards who having been in that institution abstained from liquor after they came out a very much longer time than they had done before; so that we conclude that Concord has at any rate done some good to that class. If an habitual drunkard discharged from Concord got drunk again, I would not be in favor of sending him for a much longer period to some other institution. I do not regard drunkenness as a crime; it is a disease, a misfortune for the man who is addicted to it. I think that the

chances of reforming any considerable number of them is so remote that it is not worth while attempting such a thing as locking a man up for a long time, that is, a man with a family. In the majority of cases where a man has gone to Concord he has had a family dependent upon him, and I think it is undesirable to take a man away from his family for twelve months when you can accomplish no more permanent results than you could by imprisoning him for ten days. The only practical good is that he is kept from drunkenness for that time, but against this you have the fact that while he is shut up his family is deprived of his support. If you could select from the drunkards the men who do not contribute anything to the support of their families, I would be inclined to favor the adoption of that scheme.

Q. Do you think that the heroic treatment of the whip would have any effect upon such men, or do you think it would be cruel? A. To answer the first part of the question, I do not think it would accomplish much and it would be as regards the second part of it inhuman. We have not the punishment of the whip imposed by Statute for any crime. Drunkards form a large proportion of the criminals committed to the houses of correction, if we had not them we could close up a good many of our houses of correction. If you go to Deer Island they will shew you a man there who has been committed seventy-five times. When the prohibitory law was enforced we had not such policemen as we have now, but certainly for the last ten years under the license law, the number of criminals has increased in proportion to the increase in population. The number of felonies I think has not increased. I came to the conclusion during the last fall that serious felonies were not on the increase in Massachusetts but that misdemeanors were rapidly increasing. A great many of them, however, are due to the legislation which brought the offences into existence As one of our Governors said on one occasion they have made the manufacture of misdemeanors a state industry.

Q. Is the tramp nuisance very prevalent in your city? A. It is not on the increase owing, I think, in a large measure to the activity of the police in getting them out of the state. The tramps know that the police are pretty active, but we have a great many tramps still; we have a good many committed as vagrants who ought to be called tramps.

Q What do you call a tramp here? A. The tramp is a person who goes from one place to another; and then we have also the word vagabond, that applied to an ex convict or any person known to be a bad criminal character.

Q. Describe to us in a general way the system you have of dealing with children, who, owing to vicious surroundings and evil associations, are drifting into crime. A. Boys or girls charged with any offence are taken into court and sometimes a judge does not sentence them and sometimes he sentences them to the reformatory schools and invites the board of lunacy and charity to take charge of them. We have a visiting agent who is the probation officer holding the position that Colonel Tufts formerly held. This officer sometimes takes a boy under probation; he gets him off without a definite sentence and sends him home on probation. That is also done in the county of Suffolk by officers appointed by the city. Although the judge finds that a boy is guilty of any offence—it may be breaking and entering, it may be larceny—if the officer reports to the court that the boy has a good home; that although he has gone wrong he is on the whole a well-disposed boy who can go to work in a shop somewhere, instead of committing him the court puts him in charge of the probation officer who watches him for six or twelve months as the case may be. He returns him to his home if he is satisfied that the parents realize their responsibility, but otherwise he does not. Last year in the central district, Mr. Savage took under his care nearly 1,200 cases and only 60 of these violated the terms of their probation; 5 of them surrendered to the court and ten ran away. In some cases they are sent to the state primary schools When boys are taken to the court and the judge is satisfied that if he tries them he will find them guilty, he commits them to the charge of the board of lunacy and charity, and they are then sent to the Westboro' Reform School.

Q. Do you think that this system of dealing with juvenile offenders is as effective as any you know? A. I do; I have great faith in probation, more than anything else; for this reason, that you do not associate the boys together, in other words, you do not send them to the industrial or primary school or reformatory where they mix together; you have not the contaminating influence of the bad boys, nor their pernicious communications. You deal with the boys in a different way; you send them it may be to their homes and have supervision over them there, or you put them into other families where they are well looked after. The system of putting them into other families is carried out largely.

Q. Are more than one or two boys sent to the same family? A. No. Great care is taken in the placing of them out, and the supervision of the authorities is very well exercised in this city, but I think in the state it is not so perfect as it ought to be

Q. Do you believe that a farmer known to be a thoroughly conscientious and good man who could under supervision care for three or four selected boys would be a proper person to have charge of them; and do you think that such a system of placing the boys would be a good one; or would it be no better than putting sixty or a hundred together in one establishment? A. I would not say that it would be quite as bad, but one bad boy might corrupt all the others there. Where boys are together there is no way of preventing the communication of evil.

Q. We want to know what in your view would be the best system to adopt in a province such as Ontario. Would you reccommend your system, or any portion of it for adoption by us? A. I think the probation system is well worth being tried, because we have had good results from it in Massachusetts.

Q. What do you mean by the probation system? A. What I mean by the probation system is this: a boy is taken into the court and is adjudged guilty of a certain offence, and instead of committing him to any institution where he can come in contact with any other offender or putting him into a prison or penal establishment of any kind whatever, we do not restrain his liberty at all but put him under charge of a probation officer. It is required that he shall keep out of bad company; that he shall go home at a certain hour at night; not be out late in the streets; that he shall report himself once or twice a month, as the case may be, that is the probation system Sometimes this simply means keeping a boy in his own home, in his old surroundings, but not necessarily in every case, because there are a great many instances in which the home is unsuitable, and a home is found for him where he is employed at day work. He might be in a place under the supervision of the probation officer. We have as I said a probation officer appointed by the state now. There is a probotion law authorizing the mayor and aldermen of a large city to appoint a probation officer themselves, but, unfortunately, that law is only permissive and it has been carried out only in Boston and to a limited extent in Cambridge. About 1,100 cases were treated in this manner in one district in Boston last year, with the result as I have said that only 60 of the 1,100 violated the terms of the probation; 50 of these were sentenced afterwards and ten ran away. That is probation; that is what I call probation, and that is what the law of Massachusetts calls probation; but there are lawyers and men dealing with statutes and others who call the system of release on parole or permit probation. We distinguish between these. In the one case the man is released from the institution to which he is committed by the court; in the other case the person is released or his sentence is withheld or suspended, and instead of being committed to an institution he is simply committed to the custody of this officer.

Q. That you think would be as effective a system as you can conceive of for dealing with that class of boys? A. Yes, I should say any boy under the age of seventeen years.

Q. Now we will go a little further and assume that the system of probation is in full force, and it is found that a considerable number of boys and girls have violated their probation and made themselves again amenable to the law. Would it be desirable to have an industrial school in groups of counties or cities and counties in some respects like your Monson establishment? A. I think so.

Q. And would you again give them another chance by transfer to an industrial school before committing them to a purely penal institution? A. Yes, that is the substantial effect of our custom here.

Q. Then if both failed, that is, the probation system and the industrial school system, you would have them committed at last to a penal institution or reformatory? A. Yes.

Q. I would like to direct your attention to three resolutions passed at a prison reform conference held in Toronto last year. The first resolution reads, "A boy under fourteen years of age not previously vicious should be restored to his parents upon their giving a guarantee of his future good conduct. Failing this he should be sent to an industrial school." The next is "A boy under sixteen years of age, having a natural tendency toward crime, or being convicted of a second offence, should be sent either to a reformatory direct or to an industrial school on trial, according to circumstances, and a certain court should be organized to deal with these cases as well as females charged with light offences. A boy should never be brought to open police court or be sent to a county gaol." The other resolution is, "Industrial schools and reformatories should not be considered as places of punishment but should be utilized wholly for the reformation of character. The young persons sent to these institutions should not be committed for any definite period, but they should be detained until reformation is attained, irrespective of time required. The officers of these institutions should be carefully selected, preferably by a system of examination and promotion, and without reference to party or social influence." Do you approve of these? A. I do. As regards the first resolution, the same effect is produced here because in some cases the fact that a boy has got into trouble is perhaps owing to circumstances which would be guarded against by the parents, who, when the boy went home again would exercise better supervision over him.

Q. Do you think that the arraignment of a boy in open court is open to very serious objection even in the cases of first offenders? A. I do not think that it is objectionable. I think that in many cases it has a good effect upon the boy. I do not think that a justice sitting alone without formality and without the impressive proceedings of the court, or its usual imposing surroundings would impress a boy or have any considerable influence upon his mind. I do not think that one man could in five minutes without some of the paraphernalia that would impress boys, accomplish what father or mother had been unable to do in a dozen years -keep him out of crime. Take the case of a boy who has been well brought up. It is his first offence, and the boy has had all the training that a good home could give him. In order to make any impression upon that boy's mind you must either frighten him or give him some sort of a shock that would turn him in another direction. For a judge to lecture him would do him no good at all, because the boy probably would not understand one half of what was said to him; but when he is brought face to face with the majesty of the law, he is impressed with what he sees.

Q. We are told that in Toronto a good many newsboys drift into crime. What has your experience been here? A. It is not so here. I think it is just the reverse. I think these boys do well as a rule; they become very smart men most of them. We have no statistics on the subject, but my observation has been that newsboys turn out honest and industrious men: that is, they lead honorable lives, and that impression is confirmed by the fact that of the thousands of men I have examined at Concord, I have never met a newsboy; the newsboy is invariably smart and honest and in many instances they are the mainstay of the family. I do not remember any single case of a newsboy going to the reformatory. When they give up selling their papers, they go into railway offices, into stores, some become professional, some become journalists, some go into the printing offices, and become compositors.

Q. In regard to boys being allowed on the street at night, have you any regulations respecting them? A. We have city ordinances against boys sleeping out and we have ordinances against boys congregating in different places and against loitering on the street

after certain hours. The police in enforcing the ordinances, usually fix the hour about ten o'clock. If they should see the boys before ten o'clock and observe the same crowd after ten, and the boys fail to disperse and return to their homes when ordered to do so, the police would take them to the station.

Q. Do you think more might be done in that direction? A. No, I do not think so.

Q. Have you truant officers in Massachusetts? A. Yes. We have in Boston nine or ten truant officers. Boston is divided into nine school districts and we have truant officers for each. They do not go beyond the city at all; they are merely city officers, and they are selected by the School Board to look after the truant children. When a boy becomes unmanageable, or his parents cannot make him go to school, and the officer cannot make him go, and the principal of the school is satisfied that the boy is not amenable to other influences, he may be punished just as he would for any other offence or crime.

Q. Do you know whether the system of placing boys and girls together in families has been tried in any way here? A. We have never tried that, so I cannot say anything about it. I may say that the principle is in application in the schools. We have in Boston some mixed schools and some separate schools. I believe in the mixed schools myself and in educating the boys and girls together.

Q. Would it not if in operation in the industrial school require to be under very strict supervision? A. Indeed it would have to be under a very strict superintendence.

Q. It is stated that there is a marked difference between the institution at Elmira and the Reformatory at Concord in the matter of religion? A. That is due to the difference between the men at the head of the establishments. Colonel Tufts is a man who believes in training all parts of the man; in religious and moral as well as in physical training. Mr. Brockway enforces physical training, and he goes so far as to have his men under military discipline, and he has proper military drill for which he has prepared a manual.

Q. Have you any means of comparing the results of the working of the two establishments? A. It is utterly impossible to compare the two institutions.

Q. Is crime on the increase or decrease here? A. I think serious crime is on the decrease.

Q. Do you find that cellular confinement in the houses of correction or common gaols is injurious to the health of the prisoners or productive of insanity? A. There have been a few instances of men being taken to the lunatic hospital from the common gaol, and the lunacy was presumably owing to their gaol custody. The imprisonment might have developed some natural tendency that they had before, but it is not the primary cause.

Q. Of all the remarkable institutions in the way of a prison, the one that we visited at Concord to-day is the most remarkable I have ever seen. Do you think the great advantages enjoyed by criminals in the Concord reformatory create in some minds outside the feeling, that "Here is a criminal getting from the State an education to fit him for the higher positions in life, and to enter a higher sphere, but I who am an honest man doing everything I can to earn an honest living—I am unable to obtain these advantages that fall to the lot of the criminal and it would pay me to become a criminal in order to secure these advantages." Have you thought that it is in fact a premium to criminality? A. I do not think that any man ever went to prison because he wished to get good treatment there. I do not think that the system has any appreciable influence in the way you describe, and the criminal would be glad to exchange places with the poor man outside who might harbor such a thought as you have expressed.

Q. You think then that the system has no bad effect upon the honest, poor man outside? A. No, I do not think it has any such effect, nor do I regard it as in any way as an inducement to crime.

CONCORD, MASS., 22nd July, 1890.

Present:—J. W. LANGMUIR, Esq., Chairman; Hon. CHAS. DRURY, Hon. T. W. ANGLIN Dr ROSEBRUGH, A. F. JURY, Esq.

Colonel GARDINER TUFTS, Superintendent Massachusetts State Reformatory, gave evidence:

The CHAIRMAN.

Q. Will you tell us, Colonel Tufts, the extent and character of your experience in connection with this work? A. I came here to run what is known as the visiting agency in Massachusetts. One branch of that work was attendance at the court and seeing when any boy or girl under the age of seventeen years was brought up. We had notice of the complaint and attended the hearing and we had an opportunity of investigating the case, and providing for the boy or girl being placed under proper care. We had 20,000 cases in court during the ten years I was engaged in that work. From there I went to the women's prison for a month or two and then to the state primary school at Monson, which is a school for boys and girls who are mainly dependent children, more or less. From that establishment I came directly here in December, 1884.

Q. So that your experience in regard to delinquents extends over from fifteen to eighteen years? A. Yes.

Q. I understand the prisoners are committed on the indeterminate sentence. Will you kindly explain what is meant by that? A. The men are simply committed to this place; the judge does not sentence the men for three years or five years as in the ordinary cases, but he simply says "I sentence you to the Massachusetts Reformatory." We have two classes of offenders, misdemeanants and felons; the misdemeanants are men who are in for drunkenness, idleness, vagrancies, stubbornness; all else are felons and under that category we include those who are convicted of larceny, embezzlement, burglary, etc. When they are committed here we can hold felons for five years and misdemeanants for two years. The commissioners of prisons can transfer prisoners to this reformatory under their own authority.

Q. A man then may be sentenced to the state prison, or to the gaol, and it is within the power of the commissioners to transfer from any of these places to this establishment? A. Quite so. And any magistrate can commit here and the supreme court, the superior court, and the municipal courts which we have in Boston, for example, the district court—we have a district court system here—can commit them.

Q. The district courts are something of the nature of police courts I presume? A. Yes.

Q. Is commitment to this reformatory regulated by certain limitations? A. We have an age and an offence limit: anyone can be committed here up to forty years of age, and no one can be committed who has been convicted more than three times; as a matter of fact, the reform school takes them up to fifteen, so that we have them from fifteen up to forty. Now we have got here a system of grades and marks which I will explain to you in detail. When a man comes here he goes into the intermediate or second grade; the third grade is lower and the first grade is higher. He cannot get out until he gets into the first grade, and when he gets into the first grade his release depends on how he behaves himself. If a man goes into the third grade, he of course goes lower and has longer to stay, because he must rise from that grade and pass through the second or intermediate grade again. We give them a manual which contains our rules and a list of offences. The list of offences includes such things as altering clothing, clothing not in proper order, crookedness, disobedience of orders, disorderly room, fighting, gaping about the shop, hands not free from work, insolence to officers, inattention in line, shop, or school, laughing and fooling, malicious mischief,

neglect of study, not wearing slippers in the school room and not wearing slippers in the chapel, profanity, quarrelling, stealing, staring at visitors, talking in chapel, dining room, lecture room, in line, or in school, or in shop, using tobacco, vile language, wasting food, etc. We make out a list of these offences and a man is entitled to five credit marks for every good day he makes; if he is guilty of any of the breaches set forth in the manual he is reported, and these reports go to the deputy superintendent and he looks the matter over and if it is a first offence we give the man what is called a warning. Each prisoner committed to the reformatory for the first time enters the second grade, and is promoted to the first grade when he has earned 850 credit marks within six consecutive months. A prisoner is allowed for perfect conduct, industry in labor, and diligence in study five credit marks for each day; for imperfections in conduct, lack of industry in labor, or want of diligence in study, he loses such number of marks as I decide. If a prisoner in the first grade fails to obtain 125 credit marks during any one month, he is reduced to the second grade; a failure to obtain this number of marks a month by a second grade prisoner for two consecutive months will reduce him to the third grade; and a failure by a third grade prisoner to obtain 100 credit marks for three successive months subjects him to such punishment as I, with the consent of the commissioners, may prescribe. A total of five credit marks for each day for any one month may advance a prisoner from the third to the second grade; or in other words 150 marks must be obtained to advance a man from the third to the second grade. A first grade prisoner who shall lose his standing may be restored if he obtain 150 credit marks in the month following; and 150 credit marks are allowed in the month of February if five credit marks are gained in each day of the month. A prisoner in whatever grade he may be if he obtains five credit marks each day for four successive months is entitled to a free gift of 150 additional credit marks, and a prisoner who has lost no marks on reaching the first grade is classed as a "first grade perfect," and so he remains unless marks are lost. In the granting of privileges and permits, first grade perfect prisoners are preferred. There is a provision that I may, with the consent of the commissioners, allow special credit marks to any prisoner or promote him to first grade perfect. Prisoners are not released from the reformatory before their sentence expires, except from the first grade, and promotions from one grade to another are made on the third day of each month, except when that day occurs on the Sunday, and then the promotion takes place on the fourth day. When a prisoner has been for five consecutive months in the first grade with a perfect record, and has the required percentages in the school, his name may be presented to the board for their consideration together with any facts in possession of the superintendent, which will tend to show the character of the prisoner, and any opinions which he may have as to the prisoner's fitness for release. The board will take into consideration the reformatory record, and facts and opinions presented by the superintendent, and the history of the prisoner before his commitment to the reformatory. If after considering all these they shall think the case to be one in which release may possibly be granted they will then see the prisoner, ascertain his plan for the future and prospects for work and form their judgment from all these things as to the advisability of releasing him. The prisoner who comes a second time either upon a new sentence or for a violation of his permit should be held for a much longer period than when he came first.

Q. Who compose the Board of Commissioners? A. They are five in number, appointed by the Governor; three gentlemen and two ladies. We make out for them a statement of the offences, etc., and we put down all in the indictment; the statement we gather from the man when he first comes in and also any statement we may have got from some local authority as to the man and his family. We give all these facts to the commissioners and we also put down his record here with a general expression of opinion at the end of it. We send this down and then the commissioners who come up once a month see the man and make up their minds whether they will let him out or not. It is fair to say that in the very great majority of cases, almost in all cases, they are released at the end of this period.

Q. Do these commissioners, or do you, communicate with the authorities of the district from whence the man came to see what effect your discharge will have on the

community? A. No, sir, we do not. The commissioners and myself are agreed in the opinion that the prisoner himself is the only one who should be taken into consideration in determining the question of his release, and no outside influence should affect the decision of the question. These men when the commissioners release them go out on probation. They get a permit and leave upon that permit, and there are certain terms which the men have to abide by. If they fail in the terms or offend the law in any way they are brought back here and put back without any new trial.

Q. Upon whose warrant? A. The commissioners'. They send an officer to bring them back. Then you can see from what I have stated that when a man comes here he can be held for his full term, or can be let out in less than one year. If he goes out and defaults his agreement he can be held for the remaining four years, no matter if he has been out three years, the whole four years are due whenever he comes back within the five years of the original sentence.

Q. If those who are put down to the third grade, are anxious to be restored to their former place, does it take them long to get up again? A. They have to make a perfect month in the third grade before they go up again; then when they go out of the third grade they have to go through the same form again and commence *de novo*.

Hon. Mr. Drury.

Q. What proportion succeed in passing to the first grade? A. About fifty pass from the second to the first grade each month.

The Chairman.

Q. What are the conditions for advancement? A. The first is conduct; they must lose no marks. We note whether a man is industrious in his labor, diligent in his study, whether he complies with the conduct rules, keeping his room in order, the furnishings neat and clean, and fulfilling the conditions as to rising, washing, dressing, and complying with the regulations of the workshop; laboring faithfully and diligently, performing such stint as may be required, marching from the shops in the full uniform of his grade saluting his officers in the proper manner when he desires to speak with them, paying respectful attention to the service while in chapel; generally we note all these things and take all these things in when we come to consider the question of his release.

Dr. Rosebrugh.

Q. What is the minimum time of passing from the second to the first grade? A. As I have explained, he has to get 850 marks in the first six months. The ascent is always easier than the descent. It takes less to get up than to go down. The standard to be reached before presentation for permit is not necessarily high or difficult to attain, nor are the conditions of release severe. They are easy of performance and such as promote the welfare of the individual.

The Chairman.

Q. Are there any special privileges in dietary or dress, in connection with the different grades? A. When the men go into the second grade they wear a black suit; the first grade wear a blue suit; and the third have to take to the red suits. Then the first grade men are allowed to write letters once every week; the second grade every second week, and the third grade are not allowed to write at all. Those in the first grade may be visited by friends once a month; those in the second grade once in two months, and those in the third grade not at all. Those in the first and second grade may receive fruit on Saturdays, but in the third grade not at all. Then on the Sunday afternoon we have first grade meetings, not religious meetings, but we have a talk on any subject that may be brought up—for instance, last Sunday we had a talk about Longfellow—and we get some nice singing. On Sunday before last we had a talk by Judge Wayland on the English Houses of Lords and Commons, and on the Sunday before that we had a talk on mining.

Hon. Mr. DRURY.

Q. Now as regards those who obtain their liberty under this system, do you succeed in keeping a record of their subsequent career? A. I would not say that the records are correctly or fully kept; it is not our part of the business to do this. The men are required to report to the commissioners every month and sometimes they go off and don't do it.

The CHAIRMAN.

Q. About what percentage is reclaimed through the instrumentality of this institution? A. I never want to say anything about that because it is a very hard thing to speak of with certainty. You know that we have to deal here with a very unstable people. They have no great power over themselves. They have not got the stamina to resist temptation always. They go along for a good while if everything is favorable, but there comes a time of adversity and they cannot stand up as a person thoroughly constituted and born would do. They go on for several years, it may be, but at any time they are liable to tumble. Mr. Brockway says that he has reclaimed 82 per cent., but that is very high. We say that 12 per cent. of our men get back here again.

Mr. JURY.

Q. You get some of your prisoners, I suppose, from places outside your own State? A. Some, but not very many. We have several who come from New York.

Q. Do you get some from Canada? A. Not very many. We get some French Canadians; we get more of these than of any other class from Canada.

The CHAIRMAN.

Q. Speaking generally of the system and its results, do you think that it tends to make good prisoners and not good men? A. I think the tendency of the system is in the direction of moral reformation.

Q. As a matter of fact do you find that some of the worst men have good prison conduct marks? A. Well, that may be so, but this is true that as we mingle with the men daily and see them intimately we gradually probe their character to the bottom, and we think that we know pretty nearly what a man is. I am more concerned myself about the right method than I am about the result. I may say that we adopt the very best plans so far as we can conceive to make these men good. We want to put all the good that we can into these people and to make them good men. We make our men good by good treatment, and good food and good physical training.

Hon. Mr. DRURY.

Q. Under your system, if you were satisfied that a man is acting a part in order to deceive you, would that prevent him from obtaining his liberation? A. We would say that to the commissioners in our report and there would be what is called a suspension of the permit.

Q. Who appoints the commissioners? A. The Governor.

Q. Are these men especially qualified for the purpose? A. No, sir, they are generally ordinary business men who commend themselves as men of sound judgement and kind hearts, but they never had any experience in dealing with prisoners before they were appointed to this position. Necessarily they must realise that a great deal depends upon the representations made by me, and they are not likely to adopt any course that would not be warranted by the conduct of the prisoners. The Board has been changed three times since I was appointed superintendent. One member has been left over. The men give their time, but there is no pay attached to the work. They also have under their purview the state prison and the women's prison.

The CHAIRMAN.

Q. What effect has this wonderful shortening of the sentence upon the man outside? A. I do not know that. I do not know that a person can be deterred very

much by anything. If a man has got it in his heart to do a certain thing, and the circumstances arise favorable to the carrying out of his intention he will do it.

Q. What I mean is this, take a clerk in a responsible position in a warehouse; he sees that he can rob his master and says, "I will take my chance of this," because he thinks that he will get out in seven months for a felony, for which otherwise he would be sentenced seven years. Do you find that this has operated to any extent in encouraging the commission of crime? A. No, sir, we have never experienced anything of that kind. I do not believe that they think of such a thing. I believe that there is a class of professional criminals to whom this treatment would be of no possible benefit. I do not think it is as large, however, as many persons suppose. These are persons who have determined to follow criminal lives; they keep a profit and loss account practically, and say, "I will do this and I will do that," and they say, "I will run the chance of getting four years. I have done so much business, and that pays pretty well; I have got $10,000 or $15,000." This is to a limited extent so, but three is the bulk of prisoners who are habitual criminals, who steal because they don't have the faculty of being honest. They might say "If I am smart I can do this thing and perhaps the judge may send me up to the Massachusetts reformatory," and he might think that over, but this is not the class that we are looking for and it is not the class that are usually sent here.

Q. What effect has your treatment of drunk and disorderly prisoners upon men who have been sentenced on various occasions for that offence? A. It has a good effect. Some people object to putting drunkards in with felons, but if you put a habitual drunkard into a reformatory he is much more a subject of reformatory treatment than anybody else. The habitual drunkard gets here say eight months, and the rum well out of him. His physical system is in good condition and he get all the stimulus that it is possible to have to his manhood. Our system appeals to men to take hold of better things Our system is of a humanizing and reformatory character, the man may go down it is true, if he does not conduct himself properly; but so far as the change is concerned a long sentence will give him a chance to recover himself if he once sees the thing in its true light and observes the effect of his treatment.

Hon. Mr. Anglin.

Q. Of the inebriates who go out do a large proportion return? A. Well, the greatest proportion of the twelve per cent. who return are those sent here for drunkenness. I suppose four-fifths of our people would acknowledge being here because of intemperance. There used to be one-third committed for drunkenness alone, but we get less now. Any drunkard can be committed here for his third offence of drunkenness and any drunkard can be committed if anybody will come forward and swear that he has seen the man drunk three or four times in a year and say that he is a drunkard; but in the other case a man who has been convicted twice before can be committed here for the third time.

Q. What proportion of the inmates are in the third grade? A. We have got twenty-four now.

Mr. Jury.

Q. How long have they been in the institution? A. Some of them may have been in three or four months and some a year. There is a class of boys who do not start right until they get down to the bottom of the ladder.

Q. Now, about your prison labor, what do you carry on? A. We make boots and shoes, clothes, chairs and we have training schools and other occupations. We have also trunking classes supplied with every means of instruction. We have a carpenters' shop, a painters' shop, and these have all the requirements necessary for teaching the men trades, but these are not productive; we do our own concrete work and our own carpentering work and we have men employed in building.

Q. How are these industries carried on? A. On the piece-price plan. The man who wishes the work done sends in the material and we make it up and charge so much for each article. We have half a dozen kinds of boots and shoes for instance.

Q. Are you allowed by-law to name your own rates? A. Yes, and we get all that we can.

Q. Do you find that this interferes with outside labor products to any extent? A. Statistics shew that the total value of prison labor is about one-half of one per cent. of the total value of what is produced by outside labor in the community.

Hon. Mr. Drury.

Q. Is this establishment designed to place labor on the market in such a way that it will not be in unfair competition with free labor outside? A. It is, and I think it effects it. We make boots and shoes for a firm in Boston who have several other departments where boots and shoes are made by free labor. We make shoes perhaps a little cheaper than they can do in the outside establishment, for this reason, that we do not damage the material quite so much as they do in the outside shops. These men agree to keep us going every day in the year, and for this reason we do it a little cheaper. Then the laboring people in our State, as they are throughout the country generally, are pretty jealous of these things, and it makes men hesitate about coming to an institution for their work, and they fear that there may be some legislation that will affect them at any time. As regards trousers, for example, we buy the cloth, make them up and sell them ourselves; that is the only article, however, we make upon that principle.

Mr. Jury.

Q. Is this institution self-supporting by the labor of the inmates? A. Oh no; there was a cost last year of $160,000. We made by the labor of the inmates about $40,000.

Q. Are those in for long and short periods dealt with in the same way; can they all earn their discharge in ten months. A. Yes.

While showing the commissioners over the institution Mr. Tufts said: There is only one punishment provided in addition to the reduction in the grades, and that is solitary confinement. A large library is provided for the students who are allowed to take out books twice a week, and to read them in their rooms. Colonel Tufts stated that religious services are held, both Catholic and Protestant every Sunday. The Catholic service takes place in the morning at 8.30, immediately after breakfast. There is the usual low mass, and at Easter and Christmas high mass. There are religious classes, Protestant and Catholic, the older prisoners instructing the younger ones, and there is a bible class conducted by a young lawyer, who comes from a neighboring town, that lasts an hour, and then comes the general service for everybody, which is compulsory, and is conducted by the chaplain. I may say that as regards religious teaching the Catholic priest knows his own men and goes among them when he is inclined. We never have any difficulty in that matter; no feeling has ever been manifested in that way; we all mix together in the most amicable manner possible. As regards education, the secular instruction of 650 men, some of them taken from illiterate classes, is no slight matter. We take up regular branches of study and some of them are quite advanced. A peculiar feature of our institution is the societies. We allow our men to organize themselves into societies, choosing their own officers to conduct their readings without the presence of the officers of the establishment. We will often have 300 men in a room without any officer being present. They have interesting discussions and they preserve excellent order. The men must be here two months before they belong to these. We have a Young Men's Christian Association; that was begun as a kind of experiment. It was thought we might do some good here, and the result was that we got this Young Men's Christian Association, who are carrying on work of a religious character. Then we lately had a scientific and literary society, a Chautauqua, and then we had a Temperance society, all meeting on different evenings in the week. We have a superintendent and nine teachers besides; half of the teachers are ex-prisoners, who have been retained by the institution after their term expired.

The Commission were shown some fine examples of engraving on copper plate, illustrating the progressive stages of the pupil's work. Some of the specimens which were of excellent workmanship had been produced by prisoners who had been only four months at the work. Twenty-five prisoners were engaged in this branch. Some articles of jewelry were also examined that had been manufactured in the institution—watch chains, ornaments, paper knives made out of meat bones and plated goods of various kinds. These are chiefly produced by men who have had experience in this particular line of work; many of them before they went to the institution. In the yard a number of men are seen at building work, rebuilding walls which are put up and pulled down again for the purpose of giving them practice and experience. Another batch were at work in the blacksmith's shop, in the plumbing and tinsmithing departments, and others at technical work of various kinds. Then there were young men occupied in the drawing class. Colonel Tufts explained that the object of the instruction given is to supply the pupils with theoretical as well as practical knowledge. They accordingly pass six weeks or so in the drawing class and are then expected to put the knowledge they acquired there to some practical purpose. Industrial machinery of various kinds was seen in full operation and the men were engaged in their allotted tasks. In the shoe shop about 174 men are at work; in the chair shop, 60; caning shop, 107; tailor's shop, 70; carpenter and cabinet shop, 13; printing office, 14; laundry and repair shop, 20; kitchen and bakery, 20; wings, 12; inmates' shoe shop, 9; painters, 18; on the yards and grounds, 16; clerical work and library, 8; janitor and runners, 13; hospital attendants and patients, 15; farm improvements, 23; barn and stockyard, 12; engineers department and masons, 24. The day's labor ceases at 5 o'clock each day, and the men are mustered for supper at 5.30. The daily calls are: Rising call, 6.30 a.m.; breakfast, 7; work, 7.30; sick call, 8; dinner, 11.45; work, 12.30 p.m.; supper, 5.30 p.m.; from April to October, and at sunset from October to April. Evening meetings and schools are held at 7 p.m., from April 1st to October 1st, and from October to April, 6.30. On Sundays mass takes place at 8.30 a.m.; bible class, 9.30; preaching, 10.30; first grade meeting, 2.30. The prisoners all dine on the association principle; formerly they had their meals in their cells, but this system has been abandoned. There is nothing hurtful Col. Tufts said in this association. When the men are released upon permit they are provided with an entirely new outfit, with full equipment of underclothing. After the establishment had been thoroughly inspected, Col. Tufts gave further evidence.

The CHAIRMAN.

Q. What is your system in the State of Massachusetts of dealing with destitute children of both sexes who, from vicious surroundings, are drifting into or being forced into a criminal career? A. The first thing is, our law permits a complaint to be made and the commitment of a child either to the care of the Board of State Charities, or to the industrial school or the Lyman school. We may complain of the stubbornness of boys or girls and bring them before the court, and under this system of juvenile offences and probation the agent of the Board of State Charities, or the State, for that it is in effect, notices that a complaint is made against any boy or girl either of stubbornness or being unmanageable. If the persons are under seventeen years of age he investigates the case and takes the matter up. The agent will attend the hearing of the case and examine the witnesses, and it may be that after all the evidence is given he sums up the case and the magistrate asks what he will do with it. About four-fifths of those who are brought before the courts are found guilty. The agent, supposing the boy or girl is put upon probation, says: "We will ask that he be bound over in the usual terms, and then if the child is left with the parents the usual guarantee is given for its appearance and conduct, and it remains under the supervision of the agent of the board. In another case the child may be put into the custody of the Board of State Charities entirely and the board then have the right to place the child in a family. We select the family wherever we have the means of doing so. We may put it in the State primary school, and it may be that it will be kept there for some time, provided with clothes, educated and trained, and then the boy, if it is a boy, may be put out into a family after he has passed through the school."

Q. How does this system work? A. First rate.

Q. Do you exercise supervision over the parties to whom the children are entrusted? A. The law says that we shall seek out persons who are willing to take, educate and maintain the children; so we are constantly looking out for them. After the children are placed out, the law says we must visit them at least once a year and see them.

Q. Are they generally placed on farms? A. Yes.

Q. What is the kind of treatment given under this system? A. It is very good.

Q. And the results? A. The results are good in most cases.

Q. Now we come to the Primary school? A. Those whom we place there are dependent children, transferred to the institution by the Board of State Charities; they go into the State alms houses with their parents; in fact, I may say that it is out of that that the school has been developed, but young offenders are committed there direct by the board if they deem it desirable that they should be sent there and dealt with. The next grade is the reformatory for youths or the Lyman Reform School as it is called. We have the right to put them direct into a family or into the primary or into the reform school.

Q. You try them in the family first? A. Yes, and then after this we have power to send a boy to the primary or reform school.

Q. Do you think your system of dealing with juvenile offenders in Massachusetts as good as can be devised? A. I say that our magistrates and those who have given themselves to this work have endeavored to make the system as perfect as possible. When we began that work we had two schoolships for boys with a capacity for 150 in each, and the reform school with two or three or four hundred boys, and the industrial school for girls with 144. In the first ten years I ran the agency, and the result during the last ten years has been substantially the same. We had between nineteen and twenty thousand cases before the court, four-fifths of which resulted in convictions. Now we have the industrial school with less than a sixth, and the reform school with about 150, and the schoolships have entirely disappeared. This shows that we take care of these children in this other way by putting them out into families and so on. Under the old method it cost us $150 to $250 per head and it costs us now less than $5 per head to take care of them in the other way.

Q. For what period are the boys committed to the reform school? A. The average length of time is twenty months, and if we take this same boy and put him into a family the entire expense would not be more than $5.

Q. And is this family system more effective in reclaiming the boys? A. Up to a certain extent it is.

Q. Does the State bear the cost entirely, or do you make any charge on the municipality? A. All the expense necessary in taking a child into a family is to get him a good suit of clothes or a pair of trousers; when the family takes him he becomes self-supporting under an agreement which runs on until he is eighteen years of age. The first year or two he would not pay his way because he would have to go to school; but take the children that go into a family from fifteen up to eighteen, either girls or boys, then they more than pay their way, and their help becomes quite valuable. A girl, for instance, from sixteen to eighteen years of age in a family would be able to render service of considerable value to them.

Q. I have here three resolutions passed at the prison reform conference last year. Do you give your general assent to these resolutions? A. I will give my general assent to these.

Q. You say your general system will accomplish all that is set forth here? A. I do. Only I prefer to go to the family with the children.

Q. Would you be willing to entrust the whole of this system or part of this system to municipal authorities? A. I would thoroughly recommend the State to take it into hand itself. The State of Michigan copied a part of our system at Coldwater, where there is a school conducted almost like our Monson school. Our State being small, and all covered with railroads within easy distance of Boston, we divide the work into different agencies and have the whole department under direct supervision.

Mr. Jury.

Q. Has the result of the congregate system been as good as the family? A. I think it has, but it depends upon the atmosphere of the place. My observation with reference to the family plan has led me to believe that you get a man and wife at the head of a family and they become prudish and narrow, and it requires a little genius almost to do a thing of this kind right.

The Chairman.

Q. Do you believe crime and viciousness to be hereditary? A. I think it is a good thing to be born well.

Q. What in your opinion are the chief causes of crime in your community? A. I think a large amount of it is due to poverty and the circumstances of a family. In the densely populated parts of Boston there used to be destitute children turned out in the streets, and they were encouraged to beg and steal and pursue a life of crime. Children in Boston are allowed to go round wherever a building is being pulled down and pick up wood and other articles from amongst the refuse. Then they pick up other things, and gradually drift from one thing to another until they become confirmed criminals.

Palmer Primary School,
Palmer, Mass., July 23, 1890.

Present—J. W. Langmuir, Esq., chairman; Hon. Chas. Drury, Hon. T. W. Anglin, Dr. Rosebrugh, A. F. Jury, Esq.

Amos Andrews, superintendent of the school was examined and gave evidence

The Chairman.

Q. When was your institution established, Mr. Andrews, and what are its objects? A. In 1866; the building was originally erected for an almshouse: this and other two, and the poor of the State were put in the three institutions. It ran along in that way until 1866 and then it seemed better to the authorities to take the children away from the adults: that is, from the almshouses, so that the children were sent here so far as they could be. The other paupers were sent to the other two institutions, and this institution was established by the removal of the children from the almshouses and it became the State Primary School. The mothers sometimes came with the children. This was continued until 1872, when there was a modification of the laws and a less number of adults came, or in other words fewer mothers. I think that under the law of 1866 some men came here, but after 1872 no men were sent in. There have been a few women sent in with their children, but very few; and now it stands in the same position as any other primary school where children who would naturally go to the almshouse can be educated. If they get children of the proper age in the almshouses they are transferred here right away. Some come from the family, but in a little different form. We have a great many children that are known under the law as "neglected," and such children come right from their families here committed to the care of the State Boards by the municipal courts, until they are twenty one years of age, it rests with the Board to say where they shall be placed. There are children who come into the State who have

no legal residence ; they are taken care of by the Board and they are known as State paupers. We get in addition to these and those who come as neglected children through the Commissioners of Charity another class known as juvenile offenders.

Q. Whence do they come? A. They come from all over the State ; most of them come from the poor families ; it may be that they are committed to the State Board of Lunacy and Charity to be disposed of, and the Board sends them here instead of to the reformatory, because they are children whose offences are light, and children who are young.

Q. What are the ages of this class? A. They vary from ten to thirteen years

Q. What is the general nature of their offences? A. Quite often breaking and entering ; vagrants as such we don't often get ; drunkenness does not send a person here.

Q. Must it be some criminal act? A. Yes ; but there are some children committed for stubborness.

Q. What constitutes that generally? A. You can trace it back and you will probably find that it is lack of ability on the part of the parents to discipline and control the child properly ; any one may take action to have the child placed here.

Q. When parents or guardians have lost control of children can they have them sent here? A. Yes, they can be sent here.

Q. What is the next class you admit? A. Then there is another kind called "the dependent children." They are really the same that come to us through the almshouse, but they may not have gone into the almshouse. The State Board of Charities may go and pick up a child—that is, a dependent child, and they can send the child to us without any other intervention or any other action at all.

Q. Then there are four kinds of children that are dealt with here, viz.:—1st, those who come here from the State almshouse ; 2nd, neglected children ; 3rd, juvenile offenders, and 4th, dependent children? A. Yes.

Q. What other inmates have you? A. Besides boys and girls there are a few mothers ; just now we have twenty mothers, and it so happens that amongst the twenty there are two who have grown up in the institution ; one of them is simpleminded, not of a bad character, but simple-minded, although quite able to earn her own living ; only it is probable that were she outside she would get into trouble.

Hon. Mr. Anglin.

Q. Upon what principle do you admit mothers ; do you admit all who apply? A. Well, a woman is transferred to us from the almshouse and we do not separate the mother from her children ; there are some mothers, however, who are deemed unsuitable, and the State Board would not send them here.

Q. What are the numbers of the first class of children in the institution? A. Our total number last Saturday night was 358, of which 21 were women, 244 boys, and 92 girls. There are 203 children who are held by order of the court ; that is, committed to the Commissioners of Charities, by the court. That includes all the neglected children, as well as those who have committed crime. There are 134 children here simply because they are poor, and these poor children do not come through the medium of the State Board of Charities at all ; they are transferred by the State almshouses, and are here on account of poverty only.

Q. Are many of them orphans? A. I should say not; but most of them have only one parent.

Mr. Jury.

Q. How does the State take possession of the children? A. Generally with the sanction of the parent: if they were taken without the sanction of the parent they would come under the head of "neglected."

Q. Then you have a law which provides for your taking the children in this way from the parents whether they are willing or not? A. Yes, it is in the Revised Statutes.

The Chairman.

Q. Does the State entirely support this institution or do any of the counties contribute to it? A. Every town in the State pays so much; there is a general county rate struck for the support of these institutions, just as for a State school.

Hon. Mr. Drury.

Q. How many acres of land have you here? A. 240 acres. We have a large garden where we raise vegetables and the farm produce is largely used for the institution. As a general thing our boys do all the work.

Q. What are the ages of the boys? A. They may be committed here until they are sixteen, but not over that. The State board has power to release them at any time they choose.

Q. What is the youngest age they come in at? A. The mothers may bring a baby in; but so far as children without a mother are concerned it is very seldom that they come here under three and a half. The idea is that they do not come here until they are old enough to go to school.

Q. What kind of employment is there for the larger boys? A. A number of boys work on the farm—all that we can spare for this purpose. There are those who assist in doing the domestic arrangements. We have a tailor shop where the boys' clothing is made, and the boys who assist in this are under an instructor. We have a sewing room where the girls work under an instructor and make their clothes. Shoemaking repairs is another employment.

Q. As to education, do you give a common school education? A. Yes.

Q. Is your school under State supervision in the same way as a public school? A. I should say not, but we keep it up to the same state of efficiency. We have our own system of inspection.

Mr. Jury.

Q. You say you only keep a tailoring establishment and a repairing shop for shoes. Do you buy the other shoes? A. Yes.

Q. Where? A. In the open market.

The Chairman.

Q. Will you tell us a little more about your method of education? A. The boys or children in the lower classes are in the school all day, forty-seven weeks in the year. The more advanced children go to school half a day and it is from amongst these that we get our working boys.

Mr. Jury.

Q. Does the boy get as good a knowledge as he would in the public school? A. Not quite.

Q. Do your teachers have different certificates from the public school forms? A. Every teacher I have has been in the public schools and I have eight teachers here.

Q. When you get these children sufficiently advanced to be able to leave your care how do you dispose of them? A. Some of them are discharged by the State board and allowed to go home.

The CHAIRMAN.

Q. To such a home as they came from? A. Well, perhaps the home has improved!

Q. But do they investigate to ascertain that? A. Yes.

Q. And if you find that the home has improved the board sends them back there? A. Yes.

Q. What next? A. If they are juvenile offenders they are sent home on probation. The pauper children of course would not be sent on probation. When we have boys who are not likely to be called upon by their parents we place them out into the country with people that we know and can rely upon dealing with them in a proper manner. I presume that of the number that are discharged or are taken away from the institution during the year half are placed with farmers. Three years ago we adopted the principle that we carry out now of taking out from those we have got in the institution somewhere about 200 a year—somewhere in that vicinity, and of that 200 about 100 go to farmers.

Hon. Mr. DRURY.

Q What about girls? A. Girls go in the same way; they are put into domestic service.

The CHAIRMAN.

Q. Do you send any to villages? A. Some perhaps; a good many would be placed out in families to do chores.

Q. At what age would that be done? A. Any age that would be agreeable to the people who have got the employment. Some people would want a child ten years old, another would want one fourteen years old.

Q. Do you still exercise supervision? A. Yes. The State board exercises super vision through its own officers.

Q Do you find many cases of neglect on the part of farmers, or many cases of cruelty? A. Not very many; if there are the visitor has authority to remove them at once.

Hon. Mr. DRURY.

Q Is there any bargain made on behalf of the boy with the people with whom he is placed? A. The bargain is this, that the boy receives a certain amount of remuneration and food and clothing.

Q, How many of the children who 'go through the courts come to you as juvenile offenders? A. 73 boys and 8 girls went before the courts for some little crime or other. The neglected children number 72 boys and 47 girls who came to us through the courts for no offence.

Mr. JURY.

Q I would like to ask you now what proportion of the boys give satisfaction to the farmers? A. I should say in answer to that that two-thirds of the class that are placed out with farmers and in villages and with others give satisfaction.

Q. Do they stop in their situations until they are eighteen years of age? A. They might not stay at one place, but they will not come back to us as a rule.

Hon. Mr. ANGLIN.

Q. How are they removed from one place to another? A. By a visitor.

The Chairman.

Q. Does one visitor do all this work? A. There are four men employed as visitors who are paid for their services.

Q. What is their remuneration? A. About $1,000 a year. Then the girls are visited by the ladies who take an interest in the work, and work in harmony with the State Board.

Q. Are your boys classified in the institution at all? A. There is no classification except that in relation to the day school.

Q. Is there an associated dormitory and associated dining room. Do all the girls go together and all the boys go together? A. That is the rule.

Mr. Jury.

Q. Do you think that there are any bad effects arising from that to the boys themselves? A. Occasionally we have a boy whose influence is bad and we feel it is necessary to take him in hand. I ask the Board to take him away and he is sent as a rule to Westboro.'

Hon. Mr. Drury.

Q. Do you inflict punishment for disobedience? A. We punish more by taking away privileges than anything else.

The Chairman.

Q. Do you think that the system as a whole is a good one, for you must have had sufficient experience to enable you to come to a conclusion on that point? A. Yes, I think the system is good.

Q. Could you suggest any means whereby you could improve upon it? A. Well, I should insist if I had my own way, upon a little better education being given to the children.

Q. But as regards any other link in the chain, does this establishment seem to meet all that is required from childhood up? A. It does.

Q. If you had to commence *de novo* and wanted to select a system that would do most good, would you recommend the one that you have in operation now? A. I would. Of course in some small details I might introduce changes. We have the congregate system here for example; I would prefer the cottage plan My idea is to keep up the family relation.

Hon. Mr. Anglin.

Q. How many children would you put in one house? A. Thirty.

Hon. Mr. Drury.

Q. The supervision would have to be very close? A. Yes it would have to be very close.

The Chairman.

Q. Is there any other change that you would make? A. I have sometimes questioned whether there was quite care enough exercised in placing the juvenile offenders here.

Q. What would be your remedy for that? A. I think the judges are not well enough informed as to the conditions in reference to this school. It would be well if such information could be placed before them as would secure us against the introduction of dangerous or bad boys.

Hon. Mr. ANGLIN.

Q Do you think that the opportunities of education are quite as good after the boy leaves as they are here? A. No, not quite so good.

Q. What is the whole staff of the establishment? A. About fifty.

Q. How many have immediate care of the children; that is, are teachers and instructors? A. There are about forty that come in contact with the children—professors, teachers, or instructors. In addition to this, there are domestics and farmers.

The CHAIRMAN.

Q. What is the nature of the religious instruction given? A. On Sunday mornings we have a religious service conducted by a clergyman living in the neighborhood. He conducts the service and we take him back to his own pulpit.

Q. Does this include all denominations? A. It includes all except the Catholics. They come here and hold services for them specially.

Dr. ROSEBRUGH.

Q. Have you daily services? A. We have daily prayer every night before the children go to bed.

The CHAIRMAN.

Q. Do all the Catholics and Protestants attend at these prayers? A. Yes, and I conduct the services myself.

Q. Have you any particular form? A. No, I just choose myself.

Dr. ROSEBRUGH.

Q. Are the Scriptures read? A. Yes.

Q Are they expounded? A. Yes, the historical portions, but we do not touch the doctrinal parts. On Sunday afternoon the different teachers meet the children of their own classes and take Sabbath school for an hour and give religious instruction We are very particular that nothing of it shall be of a sectarian or doctrinal character. We do not teach the doctrines of the Congregational, the Baptist, or the Catholic persuasion.

Q. You consider this a very important part of the system? A. I do think it is of great importance, because there is a great deal of an elevating tendency, so far at any rate as the morals are concerned.

The CHAIRMAN.

Q. What is the relative proportion of the Protestants and Catholics? A. It is probable that there are more than half of them Catholic. We have amongst us from sixty-five to seventy who are under nine years of age.

Q. The Roman Catholic priest has a right to conduct services with his own flock? A. Yes. But if the priest should come and want the service while we were conducting the day school I should say to him, you can have the service, but we do not want it at this time.

Q. Do you think that municipal interference or control would be detrimental to the discipline and well being of the institution? A. Yes, sir. I should not have more than one head. You ought to have it municipal or governmental.

Hon. Mr. DRURY.

Q. What is your expenditure in connection with this establishment? A. $50,000.

Q. Does your population increase from year to year? A. The population of the school, I may say, is gradually decreasing, the decrease being due to the placing of the children out in families.

The Chairman.

Q. What in your opinion is the chief cause of crime in this community? A. I should say intoxicating liquors.

Q. Do you think that the hereditary taint transmitted by criminal fathers and mothers has to do with the production of crime? A. Yes, sir, I do. A child that comes in here whose history I am able to trace back, in some instances I find to be the child of parents who, for a considerable period, were criminals or had some other defects. The child in that case has a natural tendency to crime. It is also morally and physically deteriorated in some cases, but not in all.

Q. If the children of drunken and vicious parents were severed from the parents for a considerable period and sent out to the country, do you think that the tendency to commit crime or to get into dissolute ways would be stronger than in other children? A. I think so; that is the general impression I have got as the result of my experience. If the parent has been shiftless, good-for-nothing, the children are apt to be the same. I know a great many cases of boys sprung from such parents who are good-for nothing. If a parent is given to excessive drinking, the child will drink. If the parent has a tendency to steal, the child will steal perhaps before we get him.

Mr. Jury.

Q. When you get the child so young as three or three and a half years and it is thus early removed from its environment, and brought up under your system of training, is it less able to resist temptation to crime than would be the child of ordinary parents? A. I am glad you asked that question. We sometimes get children in from three to five years old: they are defective in some way, perhaps a great many of them have a tendency to go right into the course that their parents have followed, notwithstanding the fact that they are removed from personal influence and control.

Q. Don't you think that this would be entirely eradicated after ten years of your training? A. Well, it seems so; but if it is not, I think it would be the hereditary tendency rather than the surroundings that would be the cause of the development of vice in the child of three years old.

The Chairman.

Q. You train quite a number of young girls to go out to service? Do you find that your training enables them to withstand temptation? A. You have to consider that even some girls in their own homes fall. Some girls do fall, but not a large percentage of those who leave us.

Hon. Mr. Drury.

Q. Do you find that laziness and poverty and crime go together in the production of juvenile criminals? A. Yes.

The Chairman.

Q. Who appoints the officers of this establishment? A. I appoint all my officers except the lady physician, and the same authority that gives me my position gives her hers.

Q. Do you think it is necessary to have land in connection with an institution of this kind? A. Yes, I would not like to have an institution of this kind without land.

LYMAN REFORM SCHOOL,
WESTBORO', MASS., 24th July, 1890.

Present.—J. W. Langmuir, Esq., Chairman; Hon. Chas. Drury, Hon. T. W. Anglin, Dr. Rosebrugh, A. F. Jury, Esq.

THEODORE F. CHOPIN, Supterintendent of the Lyman School for boys, was examined.

The CHAIRMAN.

Q. How many inmates have you in this institution and how are they committed? A. There are only 179 boys in this institution at present; they are all committed by the courts for offences of different kinds. Their ages range from seven to fifteen years, but we get very few who are under ten years old; most of them are twelve and fourteen and some fifteen. They remain under state supervision until they are twenty-one, even although they leave the institution.

Q. What authority determines when they should leave? A. The trustees appointed by the Governor-in-Council of the State.

Q What is the average duration of their stay here? A. Eighteen months, but we are gradually increasing this to two years. The establishment was first known as a State Reform School, and all the lands and buildings originally belonging to the State Reform School not assigned to the State Lunatic Hospital is under the direction of the trustees of this school.

Q. How much land have you got? A. We have 170 acres in connection with the institution.

Q. When was it first established? A. It was first established as a Reform School in 1848. The trustees were authorized by Act of 1885 to purchase what was known as the Bela J. Stone farm in Westboro', for the sum of $14,000, and to construct additional buildings at an expense of not more than $25,000. The Act governing the institution provides that the trustees shall cause the boys under their charge to be instructed in piety and morality, and in such branches of useful knowledge as are adapted to their age and capacity and in some course of labor, either mechanical, manufacturing, agricultural or horticultural.

Q. Is the institution conducted on the family or cottage principle? A. It is. At present it is divided into six families, and each family is under its own superintendent who has the direction of the industry carried on there. The cottages are under the charge of a man and his wife; the wife takes charge of the household management.

Q. What salary do you pay the couple? A. They are paid $800 and have free quarters, lodging, and all the privileges of the establishment.

Q. How many cottages have you got? A. There are four single cottages and one double cottage, making six altogether. A great deal of employment, I may say, has been provided for the boys on the land, and around the new buildings; and endeavor is being made now to give the boys a greater variety of occupation so far as this can possibly be done. I have already mentioned that the boys sentenced to this establishment are under State supervision until they reach twenty-one, but after they reach eighteen they are practically on probation in homes.

Q. And when they violate the probation do they return to you? A. We don't take them back often if they should fall again; when they relapse into evil course they are sent to Concord.

Q. What proportion of the boys who go from here are sent to Concord? A. Ten or fifteen out of the hundred.

Q. Where do the boys go when they leave you? A. We get homes for them wherever we can. The superintendent further stated that the institution was called the Lyman School on account of Theodore Lyman having made a liberal donation for the establishment of an institution conducted on these lines, provided the State contributed a like amount. There was at first some difficulty in inducing the authorities to take the matter up, but in due course the establishment was placed on a proper footing. In answer to Dr. Rosebrugh, he stated that the endowment amounted annually to $2,500, and the State gives an equal amount. Each cottage accommodates about thirty boys; the boys assist in cooking and in house work generally. They make their own beds and do all the other work necessary in connection with the house. The boys all dine on the association principle, and the officers dine in the same room but at a separate table. Each house is complete in itself, with bath, school room, work-shop and dormitory. The work-shop is under the direction of the superintendent of the house; there is one shop where an extra officer is employed, this is the heel-cutting establishment. About 50 per cent. of the boys are employed on the farm. There is no night supervision of the dormitory. The cottages cost from $8,000 to $10,000 each. There is a chapel in connection with the institution erected at a cost of $3,700, and preachers of all denominations conduct the services. The superintendent conducts the Sunday school. The Roman Catholics have special services of their own every week. The school meets for religious instruction on Sunday mornings, and then in the afternoon at three o'clock there are religious services. In reply to Mr. Jury the superintendent stated that everything required for the institution was purchased in the open market. It was the object of the trustees that the boys at work at the institution should work up to the full measure of their ability, just as they would have to do if they were employed outside. In the heel cutting room the instructor said the boys have got to work six and a half hours and they earn 75 cents a day. When the authorities find out what would be a reasonable amount of work for the boys to do in a day they are allowed fifteen or twenty cents for the quantity they do above that stint. This not only encourages the boys to be industrious, but it enables them to open a banking account and promotes habits of economy and thrift. The appropriation from the Legislature last year to the institution was $12,000.

STATE HOUSE, BOSTON, July 23rd, 1890.

Present.—J. W. Langmuir, Esq., Chairman, Hon. Chas. Drury, Hon. T. W. Anglin, Dr. Rosebrugh, A. F. Jury, Esq.

Miss ELIZABETH C. PUTNAM, a member of the Board of Trustees of the Lyman Primary and Industrial Schools, was examined.

The CHAIRMAN.

Q. The Commission desire to get information respecting the child saving branches of your work in Massachusetts and especially to learn what your probational system is? A. Well, I will give you an illustration of it. The other day one of the officers of the Prison Reform Association and of the Children's Aid Association, a volunteer agency at work here, came to me and asked what could be done for a little girl who had come from the State of Maine, but who had lived with her sister in Boston. She had been placed into a family and had stolen something two or three times from her employer and other people in the house. They laid an information against her and the question was what should be done with the girl. She was thirteen or fourteen years of age. She was allowed to stay in the gaol from Monday until Saturday. She was a delicate child and during one night in the week she was very ill. It was decided that she should not be kept in prison because she had not shewn any immoral tendency. The State officer said he would advise that she should be taken into the custody of the State board on condition that if she proved unmanageable she was to be put into the State Industrial School for girls at Lancaster. She was brought here and then in the absence of

any auxiliary visitor—we have some ten of these appointed by the State board and who report directly to the board—I had looked out for a boarding place for her. She stayed in that place for about two weeks and her conduct was carefully observed.

Q. That child, I presume, need not have been sent to gaol at all? A. Well, she had been stealing, but certainly she need not have been sent to the gaol, and they should not have left her for a whole week there.

Q. How many such children were cared for last year? A. A very small number of girls, but I cannot tell you precisely. A great many girls are placed in institutions in the city.

Q. Does the probation system provide that the child shall be sent home to its parents? A. It may be sent home to its parents; it may be sent to some other family; or it may be sent to the Monson Primary School at Palmer, or to the Lyman School at Westboro'. I will give you an instance: An orphan boy who quarrelled with his cousins and disobeyed his relatives, was committed to the Westboro' School. The trustees have power under the law to transfer such a child as that to the Monson School. The first thing he did was to run away when he was sent there, but he is now improving so fast that he ought to be placed in a home in three months.

Q. In whom is the government of these schools vested? A. The government of the State primary schools, the State industrial school for girls, and the Lyman school for boys at Westboro, is vested in a board of seven members, two of whom are women, one being myself. The board is called the Trustees of the State primary and reform schools. We are appointed by the Governor in council and two retire each year for two years and one each year for three years. The trustees are a corporation and hold in trust for the institutions the lands and money grants that are made to them. Dependent and neglected children, having no settlement in the commonwealth are received into the primary school, and the trustees have power to place in charge of suitable persons any of the children of the primary school, but the power of visitation and final discharge rests with the State board. The trustees have the power to transfer inmates from the industrial school and the reform school to the primary school.

Q. Would you, from your long experience, recommend the Massachusetts system for Ontario? A. I would. I would recommend it everywhere.

Q. Do you find that under the system of boarding out in families the child is ever subjected to cruel treatment? A. Almost never.

Q. Do you always select the right people? A. After the boy or girl is placed out he or she is visited. If a boy by a salaried visitor; if a girl, by a voluntary lady visitor, The children who are sent out into families are supplied with writing material and stamps, and they are asked to write to us if they are dissatisfied. Their complaints are investigated. I went to Worcester driving six miles the other day to see a man who would be an employer. I saw a little boy taken into the family and I saw the mother and had a long talk with her as to just what care she would give the child. I looked at her to see whether she would be a likely person to entrust with a little girl and being satisfied I recommended a child from Monson to be sent there, one who had no evil tendency. The visitors, both salaried and volunteer, are entrusted with investigating all complaints and inspecting the places in which the children are placed.

Q. Would you recommend in Ontario the establishment of an institution like the Monson primary school at Palmer? A. No. I would have it without the congregate system. I would have it as they have them now in Australia. I have had a report from there lately showing that they have practically abolished the reformatory system there in some of the colonies. They are strongly opposed to children physically or morally bad being placed in reformatories, for they see the evils of association. For the feeble minded they have cottage homes, and ever since I have been on the board of trustees I have been fighting hard for this principle here.

Q. Do I understand you would do away with the institution at Monson? A. I would have it a house of detention, for you must have a house of detention in the first place for some of the children.

Hon. Mr. Drury.

Q. You say that everything is not up to your ideal in Massachusetts; now what do you think we should do in Ontario to make the chain complete? A. I would have a place smaller than Monson to place children in before sending them out. You would want an organization of either salaried visitors or volunteers, and you would have to get your visitors people of the right sort, who will be willing to take pains over the work. It is a good thing to have women because they have a good influence. You want visitors to find out about the homes, and to do this you must have people who will know the people residing in each locality where you intend putting a child. You want somebody who will look after the girls closely when they go out.

Q. Then after you have got visitors you require to have a dozen or two places ready, and what is the next step? A. You are ready then and the child goes before the court. The child, whether a boy or girl, of any age up to seventeen may be arrested for any offence whether it is breaking and entering or any other kind, and the magistrate with us may commit the child to the care of the Board of lunacy and charity; this board as you know places it into a family, or places it into the reform or industrial school. The law says that the maintenance of a boy or girl must not exceed the average cost of its maintenance at the State primary school. The persons who go before the court, representing the State in the matter should go to the home of the child and they should see that all the circumstances are fully ascertained, whether it is a first or second offence, and then when a home is found the boy, if it is a boy, must be talked to and told that if he does not behave himself properly he must be put into a reformatory school.

Q. If the home of the young offender is really a good one, would you permit him to remain there? A. Yes, but the child would have to be committed on probation you know.

Q. If the officer saw that there was a probability of a boy becoming a criminal, would you think that he should be dealt with in the same way? A. Yes, but he would then be a neglected child. The parent is summoned before the court, and the magistrate has to decide with the advice of the State agent, who advises, what should be done. The magistrate hears the case and then turns to the State agent and asks his opinion.

Q. Supposing the parent shows him that the child has not committed any crime, and says "I object to having him sent to a reformatory," is there under your law the power to send the child to the reformatory without the parent's consent? A. Not unless the child is not attended to properly. If it is allowed to frequent bad places and to go into bad company, then it comes under the head of a neglected child.

Dr. Roseburgh.

Q. Where do you think these children should be tried? in the open court or privately? A. It would be best to try them by themselves after the court is cleared.

Mr. Jury.

Q. The children who are on probation in their own home you think are restrained from bad ways by the dread of being sent to an institution? A. Yes: I think they are, but there are more taken away from their homes than there are allowed to remain there.

Q. Are there any cases where parents actually live upon the children who are brought up in criminal ways? A. There are such cases, and it is desirable that the children should be removed from the influence of parents of that character.

Q. Are there cases upon record where you have taken children away from the parents against the will of the parent? A. Oh, yes, there are such cases. You know

there was an Act passed in England lately empowering the board of guardians to remove children who are likely to fall into criminal courses from their parents' control altogether and to place them into institutions in order to reclaim them from the path of vice.

The CHAIRMAN.

Q. Do you think that industrial schools could be utilized as resting places for those children until a home is found? A. Let me go a little further back than this. No child who is in any respect feeble-minded should be put into families unless it be with some careful liberal-minded watchful woman, who would look after it anxiously. A boy who is given to teaching bad ways to others should not be placed in a family, and if you find boys or girls immoral they must not be placed in a family.

Q. Where would you put them? A. You must have an institution for them. Then if you take these out you would have left a selection of the fittest. If you take out the feeble-minded and all those who ought to be in a reformatory, that would leave very few for you to keep in the institution, if the others could be placed in families

Q. You are evidently opposed to institution life for children? A. I am. I think it creates a spirit of dependence. I think it is as bad with boys as with girls. You should put them into a family as quickly as you can, but you must not put the feeble-minded, and you must not put those who are downright vicious

Q. The question is whether the institutions are worse than being in families? A. They would be a source of danger in families There is a society here called The Children's Aid Society; they do a good deal of sifting before the children are taken in hand in any other way. It is a voluntary society and I think it is of great service. They have three little homes, of not more than twenty-five in each one, and these are in different parts, and when we cannot get the children out on probation by the board then they are put into these institutions in some instances.

Q Are you opposed to putting more than one child in a family—would you be prepared to give a family more than one? A. Yes, I would give them two or three, but not more than six. As regards girls, I should think you should never put more than two girls into one family.

Q. All cases that can be dealt with in this way should be put out without giving the children any experience of institution life at all? A. Yes; in preference to putting them into an institution I should say you ought to board them at say $3 a week; you would find it would be cheaper in the end.

Q. If forty or fifty children were placed in an industrial school do you think that that number would be dangerous? A. Well, there comes in the education, and the necessity for having things taught that are not merely abstract lessons. In our charity schools and reformatories we have manual training and trades taught, and I think we must get up with these things in the government schools as fast as we can. We have no state schools in which trades are taught. We propose that the state should adopt this principle and that there should be an industrial department; every graduate from the Banner school should be put into a large public school, and there they should have an opportunity of learning everything that would be useful to them in their subsequent career; learn to work in wood, drawing, modelling, and learn practical science. I do not think it is fair that one class of children should have the advantage of this kind of teaching and not all.

Mr. JURY.

Q. That is where the conflict would come in. Do you pay for children that are boarded out? A. We have here to a certain extent, and the number is increasing all the time. We board out all our pauper children; we board them out just as fast as we can get money enough from the state; we only pay $1.50 a week for them. In England they board them out to a large extent with great success. Here we have only had twelve returned to the primary school after having been boarded out.

Q. Have you any cases where these children had corrupted the children of the parents with whom they lived? A. I do not think so, but our visitors can tell you that better than I can.

Q. Now, supposing that you had all your ideas consummated; supposing you have all the institutions you think necessary, and that the state provided for the children generally, do you not think that the effect would be to relax parental responsibility by this system, and to encourage people to bring children into the world? A. Yes; that is one of the most important objections that can be made to the state taking this responsibility. Professor Fawcett raised this objection but he withdrew it. I may say, however, that parents do not want children boarded out with a family. The parent likes to see his child under the care of a big institution where he can visit it but not with good Christian people that the child can look upon as parents.

Q. Do you think that the people with whom you place the children in all cases pay proper attention to them and train them in proper courses? A. They do the same as they do with their own children.

Q. Don't you think that they make a drudge of the child that is entrusted to them? A. No. They take a great pride in it in almost every case.

Hon. Mr. Drury.

Q. When these children are placed out with families they come under the same general state law that requires all children within certain ages to attend a public school? A. Yes, and if it did not attend you may depend upon it we would soon hear of it. As regards girls, we have to watch them carefully and constantly; when we place girls out, very few of them go back to the school unless they are very bad or in very great danger. The personal influence of the visitor, her advice or aid, and her mediation between employer and employed do much for the good of the girl. Great good has accrued from placing these girls out all over the state.

The Chairman.

Q. Do you think that the industrial school for girls has done good service? A. The State Industrial School for girls at Lancaster has been instrumental in reforming many. The point has been raised sometimes as to whether the law has not done an injustice in committing these girls during minority, and whether the power of the trustees to discharge should not be more frequently exercised on the ground that if girls are fit for service in any other family they might be restored to their own, but a great benefit has arisen through the board of trustees keeping the girls from old associations, old companionship and old temptations until they have acquired the moral strength to withstand them. I do not think it is wise to keep a girl in the school whose condition would be better outside, nor any longer than there is the necessity for discipline. I do not disregard natural ties, but in a case of bad parents the state should stand in their position and the welfare of the girl alone should be considered. Thus it comes that we have only about a dozen return to the institution.

Mr. Jury.

Q. At what age does the payment begin for their services? A. It begins when they are ten years of age. In England it begins when they are thirteen.

Q. Do you make arrangements for these children after they are ten until they are twenty-one? A. I do not know that you can precisely call it an arrangement for all that time. When the child is eighteen we presume it is capable of taking care of itself to a large extent, but we generally retain a kind of advisory interest in it. There is one thing that it seems impossible to guard against. There have been instances—there are almost every year instances—where some one of the neighborhood will do a girl a fearful wrong. I do not know how you are to meet this.

Dr. Rosebrugh.

Q. What class of people do you put these children with as a general rule? A. We have them placed almost entirely with very plain families. Another thing that I learned in England was that no poor children were put on far-away farms. They put them, on the contrary, there in places within easy distance of the large cities. Many of them were very near Birmingham where the system has been most extensively carried out.

Mr. Jury.

Q. There is difference between England and here. Here we have farmers occupying somewhat the same position as the English mechanic or artisan who would probably take these children in the Old Country? A. I do not know that. I would like to have every child on a farm if it were possible. When I was in England, however, I found that it was a very rare thing for a child to go into a family that was unsuitable.

Hon. Mr. Drury.

Q. I gather from what you say that you think heredity has a great deal to do with crime and viciousness and with a low caste of moral character. Now, do you think that it is really in the blood, so to speak, or is it this, that the child has been in its first years in a bad moral atmosphere, and although it is removed at the age of three or four years may have imbibed sufficient of the moral poison of its early surroundings to bring forth this fruit in after life? A. I cannot answer that question. I do not really see how I can answer it. I do not think it is so much badness as a want of capacity to rise to a higher standard. I would myself rather have a girl dealt with by the court than a pauper, because I would be sure that the pauper is so heavy and dull naturally that she would never rise to meet any special circumstances with which she might have to cope.

The Chairman.

Q. Have you any further suggestions to make to us, Miss Putnam? A. I only wish to say that if any child would not injure a family and would not be injured by the community in which the family lives, it would be better to put that child into a family. If a girl or boy is really depraved, and is of such bad habits that he or she cannot go into a family then the institution is the place, but you want to visit those placed out and look after the home.

State House,
Boston, July 24th, 1890.

Present.—J. W. Langmuir, Esq., Chairman.

Stephen C. Wrightington, Superintendent of Indoor Poor, made the following statement with reference to the Massachuetts system of dealing with dependent children and juvenile offenders :—

For the purpose of this statement the term "children" will be held to include the youth of both sexes between the ages of three and sixteen years unless otherwise described. The term "dependent children" will include those who by reason of orphanage, or the poverty, sickness, or criminality, of their natural guardians or protectors, are dependent on the public for their support and maintenance. "Neglected children" are such by reason of parents of sufficient means, not devoting such means to their children's care and maintenance, thus suffering them to grow up without judicious parental control and guidance and in danger of leading idle and dissolute lives. The term "juvenile offenders" will include children between the ages of seven and seventeen years judicially adjudged guilty of offences not punishable with imprisonment for life, In the care of dependent children, the city and town overseers of the poor have original jurisdiction in all cases. The state board of lunacy and charity,

only where the support of such children by reason of their having no known pauper settlement, are properly chargeable to the commonwealth. Pub. Stat. c. 84, ss. 1-4, 14, 17, 18. Acts of 1882, c, 181, ss. 1, 2.

Neglected children are arraigned before a court or magistrate and if the alleged fact is proven are committed at the discretion of such court or magistrate to the custody of the state board, or to the overseers of the poor of the city or town settlement. Complaint of neglect may be made by any citizen. Pub. Stat. c. 48, ss. 18-21. Acts of 1882, c. 181 s. 3; 1886, c. 330, s. 2; 1888, c. 248, s. 1.

Juvenile offenders are similarly arraigned and upon conviction may be sentenced respectively: a girl to the State Industrial School, Lancaster, and a boy, if under the age of fifteen years, to the Lyman School for Boys, Westboro', or if over fifteen years to the Massachusetts Reformatory, at Concord; all during their minority except, those sent to the reformatory; or at the request of the state board any and all of such children may be committed to their custody, placed on probation, or otherwise disposed of at the discretion of the magistrate in accordance with law. Pub. Stat. c. 89, ss. 18 30. Acts of 1884, c. 323, s. 3.

There is a fourth class of children, dependent or neglected and under three years of age not treated of in this paper, who are provided for by the state board at the expense of the commonwealth at the Massachusetts Infants' Asylum, or in selected private families at board. They are received into the care or committed into the custody of the board in the same manner as are other dependent or neglected children. Pub. Stat. c. 84, s. 21. Acts of 1883, c. 238, s. 3.

Dependent and neglected children when received into the care or committed to the custody of the board, if less than ten years of age, are placed directly in suitable families at board, or if above the age of ten years in such families without payment for board; at if either below or above the age of ten years they may be placed temporarily in the State Primary School at Monson. This disposition would not be made of exceptional children, children so defective mentally or physically as to require asylum care or hospital treatment, but all such children would be provided for in some institution especially adapted for their care and treatment. Suppose a child under ten years, placed directly or after a short sojourn at a primary school, at board in a suitable family. Great care is had in the selection of these families, usually by personal visitation, and extra care is taken after such placing, by frequent visitation that the material interests of the children are properly provided for; that they are well used, well fed, clothed and sheltered; that in all important respects they are treated as they would have been had they been blessed with judicious parents. Salaried female visitors sufficient for the purpose are constantly employed by the board, and in cases of emergency, such as sickness or elopement, families in which such children are placed are instructed to notify the department by telegraphic communication. A second case would be a child over ten years of age, similarly placed but without payment of board. The same rule would be followed relative to the selection of a place, the visitation by salaried visitors, or when a girl is so placed, by auxiliary visitors serving without pay. Juvenile offenders when committed to the custody of the board may be placed directly with their parents, when the offence is slight and the home an exceptionally good one, or where the offence is grave and the home not suitable in some previously selected family. But the greater number are placed temporarily in the primary state school, from which they are from time to time removed, reference being had to their conduct while thus restrained, to their homes on probation, or to some family other than their own in this or another of the New England States. Should all efforts fail; should release on probation, placing in families and retransfer to the primary school and subsequent release or placing serve no good purpose, the state board is authorized by its original mittimus to commit such recalcitrant, boy or girl, to the Lyman or industrial school respectively. If committed directly to the Lyman or Industrial school by the court or magistrate before whom arraigned they usually remain under more or less restraint and surveillance for the period of a year from the date of their commitment, when all being suitable for their release on probation in their own homes or in other families

that they are thus disposed of. When thus placed in homes or families, the boys are visited by an officer selected especially for this work, whose extra time is devoted to the interest of children placed from the Lyman. On the first intimation from a boy thus placed, his employer or a sympathizing neighbor that matters are not all right, this officer repairs to the scene and if possible arranges the difficulty, or if arrangement is out of question by reason of fault on the part of either, the boy is removed and re-located or returned to the Lyman school as may be deemed most fitted. The girls so released on probation or placed in families are in charge of a selected female visitor, exceptionally suited to the work, aided by a corps of auxiliary visitors, embracing members of our community whose birth, education and associations eminently qualify them as advisors of youth of their sex, and whose sympathy with the unfortunate is co-extensive with their knowledge of their best interests.

The CHAIRMAN.

Q. Does this description embrace the complete Massachusetts plan for dealing with these classes? A. When it comes to the question of the dependent children, the overseers of the poor have care of those who are legally settled in their community; in other words, who have settlement in the state, and they are authorized by law to make proper provision for these children, but it must be outside the almhouses.

Q. Where these children are under the care of the overseers in Boston, do they appear in the statistics? A. The paupers who have a legal settlement are the only class of children that are cared for by the overseers of the poor and they are treated differently from the others. The work in which we are engaged includes all children, whether paupers, dependent, neglected, or juvenile offenders; except of course the pauper children who are "settled" of whom I have spoken.

Q. Can you give me the number of pauper children cared for by the overseers of the poor? A. There are 506 cared for in almshouses, and 705 in families outside; making altogether 1,211.

Q. Then as to the number of the children cared for by the state? A. The pauper children cared for by the state in almshouses number 57, and in homes and institutions 627.

Q. Then respecting those who are brought before the courts? A. These are neglected children and juvenile offenders; they number 2,258. The number of children out in families from the Lyman school is 216; the children out from the Lancaster school number 133; the children out in the custody of the board, who never were in an institution, number 273, and the neglected children 265. These are all placed in homes on the probation system; this makes a total of 2 782; that is a summary of the population on a given day—March 31st. During last year 2,258 children were arraigned for one offence or another as neglected children, juvenile offenders, etc, and 2 177 cases were attended to. Of that number there were committed to Lyman school 117, to the girls' industrial school at Lancaster 69. Of the 2,177, one hundred and thirty-four were committed to the custody of the board to deal with as they saw fit.

Q. What is the difference between the term "sentenced to the Board of lunacy and charity" and "put on probation." I see that 586 were placed on probation on their arraignment? A. The magistrate has these 586 children brought before him for some trivial offence, and he would say to the parents who are in attendance, "You may take these children home with you and if at the end of six weeks, three months, or whatever time may be decided upon, he find that they have conducted themselves properly, he will either lengthen their probation or discharge them altogether; but if they do not conduct themselves properly, he may pass such sentence as may be deemed fit punishment for the offence with which they were charged originally.

Q. Who is charged with seeing whether they conduct themselves properly? A. The Board of lunacy and charity.

Q. When such action is taken are you present in the court, or anybody representing you? A. Certainly. As to these 134 children that we spoke of as being committed to the custody of the board, these children are ours until they are twenty-one years of age, just as if we were their natural parents. We do not ask anybody's opinion in regard to them. If they conduct themselves properly, well and good; if they do not we commit them to any institution that we see fit upon the original mittimus. As regards 500 odd of them, our duty is to visit them from time to time and keep ourselves informed as to their conduct. On the other hand, where the parent takes back the child, it comes up again to be disposed of by the magistrate, and he can dispose of it by lengthening the probation by discharge or by committing to the custody of the board.

Q. Now am I warranted in assuming that in the cases of 134 children dealt with last year you are the guardian until they become twenty-one years of age, and in the cases of 586 children put on probation, you are merely the agents of the court for the purpose of visitation, oversight, and in order to inform the court as to the conduct of the children? A. Precisely that is the case. We are in fact the agents of the court.

Q. All the rest were sentenced to institutions or disposed of in another way? A. Yes.

Q. Have you a right to look after the children that were sentenced to the Massachusetts reformatory, Lyman school, state farm, and house of industry, etc., and if you see fit, to place them in homes? A. Only upon their release from the institutions to which they were sentenced, and that release is dependent entirely upon the trustees of the school, who decide that they are fit to go out.

Q. The number that you have to deal with is comparatively limited; that is, out of the 2,177 your supervision extends to over something like 700? A. That is all.

Q. But the accumulation is going on so that practically you have a very much larger number? A. Yes. We have a very much larger number on our hands altogether. When the children get up to nineteen or twenty years of age, the board, or its agents, select what proportion will be discharged entirely from their control, so that 150 or 200 are discharged absolutely every year.

Q. Would you recommend your system in its entirety for adoption by the provincial authorities in Ontario? A. I think it is too complicated. You see we have got this "settlement question" and the jealousy of the communities of the central powers exercising too much authority to contend with, and we have to be a little careful in order to divide up this work, and only keep in our hands the authority of interfering when necessary. For instance: We have all these neglected children committed to the overseers of the poor, and the dependent children are cared for by the overseers of the poor, but the statutes provide that the State Board shall see that the overseers perform their duty. If they keep a child in the almshouse which ought to be in a family, and after being remonstrated with, they do not change, the Board goes into the almshouse and takes the child and puts it into a family, and compels the city or town to pay for its support. So you see in your province you can obviate this, and the friction caused by this system would not exist in the community. You would not have this division of authority. It seems to me that the condition of things in Ontario is very simple as compared with the condition of things in Massachusetts. If you were to employ an agent, with authority to see the families throughout your boundary suitable for receiving and providing for these children—an officer capable of placing all of them in the families with power to return them to the institution in which they were placed, if they are not conducting themselves properly—that would be a very long step in the right direction, and when you carried out that system completely, you would know what more would be necessary. Such a system as would provide for an official attendance at the court in the interest of juvenile offenders or neglected children, would be productive of exceeding great good, and it is more important than anything else in connection with this work. You will notice from the figures which we have published, how small the proportion is that goes to the reform school and establishments of the nature of

reformatories. When Massachusetts was only half its present size we had a reform school with 600 boys, and we had two schoolships full, and now we have got one school and no ship, and the school has only got 100 odd inmates. Why? Because we have attended upon the courts and prevented committals to these institutions. We saw that there was no use committing them to such establishments when we could put them out to their own homes on probation, or into families with constant surveillance and visitation, with a provision that if they are worthless they may be subsequently re-committed.

Q. How much does the state spend a year in paying for the board of children in homes? A. About $18,000.

Q. Are you opposed, Mr. Wrightington, to the arraignment of children in the open court, or do you think it could be better done in a more private way? A. Well, it is in a private way now. These cases are usually heard after the ordinary business of the court is over. The hearing is technically public, but the public are excluded by the system under which it is conducted.

Q The boys are not associated with the miserable gang that generally appears in the police court? A. No, they are kept in a private room until the time arrives when they are to be examined.

BLACKWELL'S ISLAND,
NEW YORK, July 25th, 1890.

Present :—J. W. Langmuir, Esq., chairman; Hon. Chas. Drury, Hon. T. W. Anglin, A. F. Jury, Esq.

LOUIS D. PILSBURY, Superintendent of the New York penitentiary at Blackwell's Island, gave evidence.

The CHAIRMAN.

Q. You and members of your family have, I believe, been long associated with prison service in the United States? A. I have had 38 years in prison service in New York State. My father, General Pilsbury, was governor of Albany penitentiary, and my grandfather was superintendent of the New Hampshire prison.

Q. How long have you been here? A. Four years on the 5th of May last.

Q. This penitentiary is called the New York County and City Penitentiary, and it is used exclusively for the city and county of New York? A. Yes.

Q. What are the periods of sentences here? A. Occasionally we get a few men for thirty days and they go up to five and a half years.

Q. What are the offences that bring the men to you? A. Misdemeanors and felonies. A judge holding court of general sessions can sentence young men either here or to the State prison.

Q. Is this supposed to be the milder treatment? A. Well, it is considered that the name given to the penitentiary is less than that given to the State prison, especially to the young men. Perhaps there is not much difference, but it is looked upon in that light. If a young man commits an offence that comes within our category there may be some reason why the judge cannot send him to Elmira, and he will send him here in preference to the State prison at Sing Sing.

Q. Now, what is your general method of dealing with prisoners? A. The man is arrested in a certain district, he is taken to the station house in the district; when he

is taken before the police justices in the morning if it is a slight offence the police justice will dispose of the case at once, discharge or fine the man, send him ten days or six months to the workhouse on this island as the case may be. In a case of serious assault or of larceny or felony, the prisoner is remanded to the city prison called the Tombs.

Q. Are there any sentenced prisoners in the Tombs? A. There are a few. The judges can send men for thirty or sixty days there, but they very rarely send sentenced men there. Then we have what is called the Ludlow Street gaol, for persons committed under the old law for debt.

Q. Now, take the case of prisoners that come before the court and are convicted and sentenced? A. The workhouse prisoners are all sentenced from the police courts. Those remanded prisoners from the gaol, when tried by the court of general sessions, are either sentenced here or to the State prison; then we have a court of special sessions held by the police justices and from this court certain proportions are sent to us and the other to Sing Sing.

Q. You receive no juveniles? A. Little children are sent to the protectories. There are Catholic protectories and other institutions that deal with children.

Q. Are they State institutions proper? A. They belong to various societies; and then we have a State house of refuge on Randall's Island to which girls are committed until they are twenty-one years of age.

Q. Have you any reformatories for children—youths who get into crime? A. No, these do not belong to the city system.

Q. How many prisoners have you in the prison to-day? A. 992.

Q. How high do you go sometimes? A. The highest number I have had has been 1,150.

Q. How do you employ them all? A. We employ them entirely at work for the departments, either in manufacturing or repairing for the Department of Charities and Correction.

Q. What are the chief industries? A. All classes. We have men at work manufacturing implements, clothing, brooms and brushes, boots and shoes; in fact, everything to fill the wants of the prisons and asylums and almshouse and workhouse, except that the workhouse does a good deal for itself.

Q. What number of inmates in the various establishments do you work for? A. I should say somewhere in the neighborhood of 16,000. I do not think that we vary much from that.

Q. Does the city make an appropriation for each prison? A. The city makes an annual appropriation for the Department of Charities and Correction. Before this is made the commissioners make out a list of what they require for salaries, new buildings and everything of that kind; this is submitted to the Board of Estimates, includes the mayor, the comptroller and one or two others, and they allow so much for each institution. The commissioners or president goes before this board and they question him as to the cost and if they can cut off any items they will do so.

Q. In estimating for the wants of each institution is your labor included? A. No; all the work that we do at the penitentiary if paid for to outside mechanics would more than support the institution.

Mr. Jury.

Q. Don't you have an account against the Commissioners of Charities and Correction with respect to this? A. I will just explain:—We have a store keeper who keeps the stock, taking account of everything received and disbursed. We will say that one of the hospitals needs a thousand bedsteads made; they make out a requisition for what they

require and submit it to the commissioners, a notification is made of what they want, then it is sent to the storekeeper at once, the storekeeper makes an entry in his books if it is allowed and sends on the order to me to make 1,000 bedsteads; then I send to the master blacksmith's shop and inform the master of what is required; he prepares a requisition for the material that is wanted and gives it to me to send to the proper quarters. The material is delivered to him, the bedsteads are made and the material used is charged to the hospital or whatever institution the article is required for.

Q In making out the annual statement do you not deduct the value of the service? A. No; but the labor that we do is recognized. I can shew that the labor of the prisoners would more than support the institution if it were charged for at a fair rate.

The CHAIRMAN.

Q. Do you do anything in the way of the construction of buildings? A. We have two new buildings being erected now. The commissioners insert in the contract that they are to furnish the stone and do the excavation and cut the stone. I have over 100 men employed at stone cutting at the quarry.

Q. Is the quarry on this island? A. Yes; but I send from this island to Ward's Island. They work there and return here at six o'clock at night.

Q. Is there no danger of the prisoners escaping on the way to and from the work, or while they are engaged at work on the island? A. I have never had an escape since I have been here, although we are exposed to it because we have no wall.

Mr. JURY.

Q. What class of work in connection with the buildings do you let by contract? A. All the iron work is let and the skilled labor in connection with the building, but we do the excavation and furnish the stone, and we keep this well up in order that the contractor may go on with the structure.

Q. Now, does this work keep your 900 or 1,100 men well employed? A. Yes. I have got every man in this institution who has got two hands doing something.

The CHAIRMAN.

Q Do you think that your system of labour could be worked in Ontario with the conditions that we have existing there? A. If you could get all your work done at one of your prisons—all that you require at the asylums and almshouses and institutions of that kind—it seems to me that you could easily find employment in this way for the prisoners confined in one prison.

Q. Do those prisoners who are kept at certain employments acquire sufficient knowledge to qualify them to earn their living outside when their period of incarceration is over? A. I am sorry to say that there are very few men who learn a trade in prison fit to work at it afterwards. The great majority of the prisoners that we have don't want to work; they don't care about it at all. They would rather take a chance of making a living by thieving, and hang about in the most precarious way in preference to doing honest work.

Hon. Mr. DRURY.

Q. Would you believe in making a man work up to his full capacity while he is confined here? A. I would. I would give him to understand it in that way; to realize it as his duty to do so.

Q, Do you think that in an institution where they are allowed to work at a slow pace, the effect must be bad? A. I do. If you want to fit a man and prepare him for going outside and earning his living, you should give him the same kind of work in the prison he is likely to have outside Another thing, you must see that he will be able to hold his own with those with whom he is brought into contact outside. I believe that

every able bodied man sent to prison should be made to earn enough to pay for his maintenance while he is locked up in prison. I do not think that a man in a prison should live better than most of our mechanics outside, and have an easier time in prison than the men have who are earning their living in an honest way.

The CHAIRMAN.

Q. You have had a long experience in a great many prisons and penitentiaries? A. Yes. I was in Albany penitentiary for a great many years under my father. I was president of the board of managers of Elmira reformatory for five years. I was superintendent of all the prisons in the state for five years, and then I had charge of all classes of prisons. I have had charge of our penitentiaries, our county prisons, and our state prisons for felons.

Q. Do you find that a very large number of prisoners are reformed? A. No, I think not. The only thing I can judge by is when they do not come back here again, but generally speaking the number who reform is small.

Q. Of what class of prisoners have you most hopes of reformation? A. I have a number of professional prisoners, pickpockets, burglars, bank robbers, and it is very rarely one of these men reform. I have known a few, but it is rare indeed that they do so. Of the young men who are sent to prison for the first time for embezzlement, forgery—the result of sudden temptations, in establishments where they have the handling of money, a great many never come back again.

Q. Of the drunk and disorderly characters, is there a large proportion reformed by any kind of treatment that you know of? A. No, I can answer that right off. They are what are called "revolvers," "in and out." They have a glorious drunk, and then they will be quite sober five or six months it may be.

Q. Are many of these prisoners supporters of families, or are most of them a charge upon their families? A. Those who come under my observation are mostly a charge upon their families.

Q. You have constantly been keeping up a system of labor in your prison and you think that it has not affected any real permanent cure of those drunk and disorderly characters? A. No, I do not think it has. I will tell you why: You may take a man who is in the habit of getting drunk—that is a drunkard—he gets drunk and he is sent to the work house or penitentiary. He goes and works faithfully and does as much work as any man. The moment he gets out back he goes to his old habits. Thus he goes in and out the whole time. The only thing is to keep him permanently.

Q. Would you recommend for this class ten or thirty days up to three months; or would you even recommend longer periods up to two years? A. Yes, I would. Under the state law the custom used to be small fines up to $10 with imprisonment in default, but a law was passed that any man convicted a second time for the offence of intoxication might be punished by imprisonment for double the former sentence, and a great many of those old revolvers would come up and they would be given a year.

Hon. Mr. DRURY.

Q. Does your law regard drunkenness as a crime? A. It regards it as an offence. If a policeman sees a man staggering in the street, he has the power to arrest him and take him to the station.

Q. Do you think this altogether wise. Does it not enormously multiply the number of cases of drunkenness? A. I suppose the police do here as they do in many other places, if they see a man a little the worse for drink they help him along to another beat, but if he is so drunk that he cannot tell what he is doing, the police take him along to the station.

Q. What is your opinion of the inebriate asylums? A. I have very little faith in what is done there. I think they have done little to reclaim habitual drunkards.

The CHAIRMAN.

Q. Your recommendation then in respect of habitual drunkards who are brought before the court constantly, is long sentences? A. Yes, I would keep them in two years.

Mr. Jury.

Q. You referred a moment ago to doubling the sentences. Do you double them when they come up again a third time? A. No, but I would do so. I think the justices should have the power.

Q. Labor is a part of your system we can see, and hard labor at that; but I should like to ask, has the prison labor controversy affected your legislation in respect of the methods of employing prisoners in the State of New York? A. It has in the State prisons, but it has not changed me. The system we have now in operation has been the system for many years.

Hon. Mr. DRURY.

Q. Does not the party employing the labor agree upon a certain price for everything, the price being so fixed that the contractor shall not be able to undersell the manufacturers in the open market? A. That is all very well, but I think it is liable to the same objection as the contract system, for you have the same safeguard so far as the contractor is concerned in that case.

The CHAIRMAN.

Q. What is your ideal way of employing prisoners in penitentiaries? A. My opinion of our convict labor is that the best way of employing prisoners is the old contract system properly carried out and under proper supervision, and that care be taken in any one industry that the contractor should pay a sufficient price per day to bring the value of the prisoners' labor as near to the cost of the article in the outside market as possible. I might be prejudiced a little on this account—that I was brought up in a prison from my youth, where contract labor existed, but I have never known in any prison that I have had charge of that any contractor ever undersold the market. In my opinion, if there is any harm done to the outside mechanics by prison labor, it is much more liable to be done by the piece-price system than by the contract system; that is, if it were properly administered.

Q. Do you believe in taking a wide range of industries for the employment of prison labor? Do you think that would do less damage to free labor than limiting the range? A. Oh, yes, I would take a wide range in order to minimize the evil you mention if I could. There may be certain industries I would not introduce into a prison, because so few are employed at them in the outside manufactures. Now that we have a hat business in this State I would not, were I to remain a superintendent controlling the industries of prisons, conduct that business.

Q. Why? A. In the first place, because the number employed at it in the State is so small; and in the next place, it is not a desirable industry on account of the circumstances under which it has to be conducted.

Mr. JURY.

Q. Do you consider the system here better than the contract system? A. No. I consider this system here satisfactory just so long as all the men are kept at work. My idea is that every man sent to a prison should be kept at hard labor.

Q. Apart from all sociological or other considerations do you think that this is as good as any other, if you have plenty of labor and plenty of opportunity for disposing of the products in this way? A. Yes.

Hon. Mr. DRURY.

Q. After you have supplied these institutions and there is still more labor in the gaol than you can utilize, what would you do then? A. I would keep them on the

contract system. I would manufacture for the charitable institutions and get them to absorb all I could supply; but if they could not utilize the whole I would put the surplus labor, just as I tell you, on the contract system before I would take on any other system. I believe it is much better for the manufacturers and the men and for the State than any other prison system.

Q. You spoke of an objection to employing men in an industry at which there were but few employed in the State. Is that because there are but few employed, or have you another reason? A. That is all. You see the prison labor might destroy an industry altogether, if there were few men employed at this in the open market: if the industry was very small and the convict prisons were producing perhaps three times the amount that was produced, those engaged in these industries would have a just complaint against the prison for destroying their means of livelihood.

The CHAIRMAN.

Q. Would you recommend the adoption of a system whereby the prisoner would get a portion of the sales value of his labor? A. No, sir, not unless you give a certain percentage to every prisoner in the gaol whose conduct is good. Upon any other principle I would not. I would not allow pay for work for this reason: if you do that you have got to fix a standard, to fix the amount to be performed by each prisoner, each man; for instance we will take say a business where two men who last shoes are engaged. You will say to them, you will be allowed so many cents for every extra pair. One, who is a good prisoner and works hard, is not able to work up to stint as it is called: whereas the other does a great deal more than the stint. Another thing, there are no class of men in the world so jealous of their rights as prisoners so that it is almost impossible to preserve discipline amongst them if they do not get everything they see another get. Any system by which others could earn money and they could not would be a serious source of trouble. I would agree to give a certain amount of the earnings to every prisoner, but I would give just the same amount to the men employed in the hall cleaning and sweeping as to the skilled mechanics. I would have it depend on a man's good behaviour. Under the old system, when the contractors paid for the work, I stopped as much as I could in prison and got to know all the prisoners and their ways. Whenever it came to my knowledge that they were given anything I would find a prisoner, if he was assigned to one of the shops, come in a short time and ask to be assigned to some other shop. The only reason that he wanted the change of work would be because he wanted to get money there. You see it creates jealousies and disorganizes the whole establishment.

Q. What are your views of the cellular or separate system? A. I am opposed to it.

Q. Why? A. In the first place I think the men who are congregated together in the shops have got discipline, and it is the proper way to work them. I do not think that any man should be kept in a cell by himself for any considerable length of time, more especially during a long term of imprisonment. It would lead to insanity. Of course, under any circumstances, they are in a cell by themselves at night, but in the day they are marching to work. They see each other at work, and even if they are not allowed to converse together they feel that there are human beings around them.

Q. I suppose then you think it would be very unfair to apply it to prisoners waiting trial? A. I would not be in favor of it. It seems to me that it is punishing a man pretty badly before he is convicted. I think, however, it would be well if there were in the gaols separate rooms where some men could be confined, and the gaoler could use certain discrimination in placing the men in the rooms. I would not take a hardened criminal and place him in the same room as a man who has perhaps fallen into misfortune and is waiting trial.

Q. If the man preferred to be put into a room by himself, what then? A. Then I would not object to that.

Q. We have heard a great deal about the indeterminate sentences since we came to the United States. Does that system apply here? A. It does not, so far as our penitentiary goes.

Q. What is your opinion regarding it? A. For old offenders I do not think it any use, but for the general mass of prisoners my opinion is favorable to its adoption. I have often visited Mr. Brockway's establishment, where the indeterminate sentence is in operation, and I think the system is only successful as regards a selected class of first offenders. You take two men there brought up for the same offence, they are sentenced on the indeterminate plan, one is an old offender and he has been in prison over and over again; the other is in for his first offence. The old offender will conduct himself well in every respect, and will work himself out as soon as he can. But a young man who has never been in prison before breaks the rules, and some marks are placed against him. Ten chances to one he will get a longer sentence than the other.

Q. Do you think that the system is apt to make a good prisoner rather than a good man? A. I think so. I suppose there is no means of reading a man's heart.

Q. Do you think that there are a considerable number of first offenders who have gone as far in crime as some who have been convicted two or three times? A. I do.

Q. Under the present law can prisoners who have been committed to the state prison be transferred to the state reformatory? A. No.

Q. I see you have very little hope of reclaiming hardened criminals—old offenders. What would be your method of dealing with them? A. I would lock them up for life. I think a man who has served two or three terms in the state prison for felony is irreclaimable.

Q. Are there second or third term prisoners at Elmira? A. Oh, yes. The judges who try the cases are not aware of the facts when they send them there.

Q. Are your dietaries the same for all prisoners; do they vary at all? A. No. The dietary of the man who is sent here for a month is the same as that of the man who is sent for five years.

Q. What proportion of re-committals have you here? A. I think about 30 or 40 per cent.

Hon. Mr. Anglin.

Q. Have you had many here who have graduated from Elmira reformatory? A. We receive occasionally men who have passed through there.

Q. What religious services have you? A. We have Protestant and Catholic services every Sunday; Protestant in the morning and Catholic in the afternoon. Our Catholic clergyman is the chaplain of the institution, and he has charge of the hospital. Both Catholic and Protestant come and go whenever they please.

Q. Is your library large? A. We have some two or three thousand volumes. We depend entirely upon gifts.

Hon. Mr. Drury.

Q. Have you noticed lately that in France they have established a new system of registration. What is your opinion in reference to the advisability of introducing the system? A. I think it is well to take a record of professional prisoners and others, so that they can be traced as much as possible.

Q. Do you consider it degrading to many of the prisoners? A. Well, it is in a certain sense.

New York State Reformatory,
Elmira, N.Y., 26th July, 1890.

Present.—J. W. Langmuir, Esq., chairman; Hon. Chas. Drury, Hon. T. W. Anglin, A. F. Jury, Esq.

Z. R. Brockway, Superintendent of the New York State Reformatory, Elmira, examined.

The Chairman.

Q. How long have you been connected with the specialty of penology and prison systems? A. I am now 63 years old. I have been at it since I was 21, that is 42 years. My services commenced at the old Connecticut state prison, as a clerk of the prison; then I went as assistant superintendent to General Pilsbury at Albany prison. I was appointed superintendent of the Rochester penitentiary when they completed their buildings, and there organized the industrial system. I served seven years at the Detroit house of correction; the commissioners came to me for the plans for the municipal prison there, and when it was partially completed I went there and opened it and remained there until 1876. In 1876 I came here and have been here ever since.

Q. What is your official position now? A. I am now General Superintendent of the State Reformatory at Elmira.

Q. In what respect does this reformatory differ from the other prisons and penitentiaries of your state? A. First in the selection of a special class of prisoners to be treated here, viz., males to the exclusion of females, felons to the exclusion of misdemeanants, and men supposed to be first offenders in felony, who may have been in a house of refuge or guilty of misdemeanor. Then they must be between 16 and 30 years of age. The second difference consists in the system of sentence. The law provides that the court shall not determine the periods of a man's detention here, but no one shall be detained longer than the maximum statutory term fixed by law for the offence of which he is convicted. The third difference is in the system of treatment, which has been termed the disciplinary system and which has been based on the indeterminate system already referred to. There is a marking system under which the most minute record is kept of a man's performances and progress, and demeanor and industry; instructive or productive as the case may be, and of his mental growth indicated by his work at the schools.

Mr. Jury.

Q. Everything in the shape of conduct is classed under the head of demeanor here? A. Yes. The next distinguishing feature is in the efforts made for the education of the men here—the schools. Every inmate upon admission is assigned to his appropriate place in the grades school, and assigned school tasks under competent teachers who will instruct him under the oral system. The prisoner is subjected to monthly written examinations and a failure to pass the minimum percentage required involves loss of time, as does failure in demeanor, or failure in the trades school examination; or properly, in the industrial results. Latterly a difference has come to exist because of the military government of the whole place, and the organizing of the inmates into a regiment, within two years or so with a full and complete complement of officers. Out of this military organization has come a new government—a disciplinary government. The inmates from the advanced grades who are placed under parole being appointed monitors and overseers in place of citizens previously employed. It is a system of self government on a military basis. Another distinguishing feature is the instruction given in trades. All the men on admission are assigned to some mechanical instruction as well as to their place in the school which I have just spoken of. A careful enquiry is made into the natural adaptation of the men for some particular place in the world's work, as to their possible introduction into an industry upon their release, as to the employment of near relatives, as to the general class of industry carried on in the community to which they would probably go. Here the prisoner proceeds upon a formulated outline, each trade being

divided into various subdivisions and a number of lessons assigned to each Failure to pass monthly examinations in the trade schools also results in loss of time. The newest feature that distinguishes this reformatory from every other prison is the attention given to the physical training of defectives, with a view to bringing about a better mental state and capacity, in the expectation of course that broad scientific treatment, based upon better physical condition, is the vehicle for instinctive moral impulse. For this a building and apparatus have been provided at the expense of the state. It is built on ground measuring 80 feet by 140 feet with very complete arrangements—Turkish bath and plunge bath, and complete apparatus such as is supplied to the best gymnasiums. This is no mere amusement for the inmates, but is a complete system of scientific renovation for those who may need it. It ought to be stated for the sake of emphasising the difference between this and other institutions that this reformatory deals with a selected class of inmates, on the so called indeterminate sentence system, from an educational and disciplinary point of view; and it is distinguished from the average prison in the most important particular, that under the law of discipline the matter of retribution is left out and the whole treatment of the prisoner here is remedial.

Q. What number of prisoners have you now? A. We have at the present time considerably over a thousand inmates.

Hon. Mr. Drury.

Q. Is everything that you are doing here laid down in the statute governing the institution? A. No. The statute simply provides that this reformatory shall be administered on a non-partisan basis; then in the most broad and general terms the board of managers are authorized to establish a mark system and they are authorized to use any measures that they deem to be requisite for carrying on the work of the institution.

Q. When was the reformatory established? A. In 1876.

The Chairman.

Q. Were you appointed by the governor of the state? A. I am appointed by the Board of Managers. They are appointed by the governor of the state.

Q. In whom is vested to determine when a man is reformed? A. The Board of Managers. They arrive at their decision through their experts here.

Q. Is the Board appointed for a long period? A. They are appointed for five years. There is only one of the original board, Dr. Way, who has been here since the beginning.

Q. It is alleged sometimes that one of the difficulties in connection with a board of managers is that they interfere with the operation of a system to a great extent? A. It is not so here.

Q. Do they receive any remuneration for their services? A. The Board serve without pay. They meet once a month as a board meeting and also a parole court.

Q. Have you a right to make a selection of the prisoners from the other penal prisons of the state? A. Yes. Such a provision of the law exists, but it has never been made available except in individual instances. The object in the beginning was to guard against any inmates being sent here who might not be eligible. The courts were repugnant to sending prisoners here at first; now they send too many.

Q. Does the law now seem to be appreciated and availed of by the bench? A. Oh, yes; that is indicated by the number of persons who, left to the discretion of the judges, have been sent here.

Mr. Jury.

Q. Do prisoners sometimes understate their age for the purpose of getting here? A. Not in many instances.

The CHAIRMAN.

Q. Could the indeterminate system in your opinion be advantageously applied in the case of a prison for male adults where the prisoners are confined for periods varying from one month to not exceeding two years, and many of them incorrigible offenders? A. It could not. Some portions of the system could be applied and some could not. The inducement to good conduct given from the mark system could be applied.

Q. Could the system be applied in the case of youths under fifteen years of age sentenced to a reformatory? A. Yes.

Q. Could the system be indiscriminately applied to all reformatories for boys? A. Yes.

Q. In your grading would it be necessary to eliminate a certain number of prisoners? A. No, I do not think I would eliminate any; the system would be uniform.

Q. Could your system be applied to all male prisoners sentenced to a penitentiary, irrespective of the offence committed, for periods from two years to life, or is it imperative to the successful carrying out of the system that a selection of prisoners should be made, having regard to age, nature of offences committed, whether previously sentenced, and general susceptibility to improvement? A. Yes. Under a grading system it could be applied to all.

Q What would be the nature of the gradations? A. The highest grade would be some institution corresponding to the Elmira Reformatory. The next grade would be intermediate between the incorrigibles and confirmed class of criminals, and an industrial and educational reformatory with discipline and system varied considerably from what we have here. The lowest grade would be confirmed criminals. Vicious and degraded persons should be confined here always with an opportunity of improvement, so that they may progress all along the line.

Hon. Mr. DRURY.

Q. Then you believe that no man is absolutely beyond hope as a criminal? A. I believe that there are men who cannot be re-habilitated during their lives with the present reformatory agencies. If you ask me to point them out they would constitute a limited number. There are persons so physically defective, epileptics, diseased and suffering from physical deterioration, men of a physically low type, low intellectually, dull, bordering upon feeble-mindedness and insanity, and other diseases of a like character who cannot be re-habilitated; but occasionally you get one feeble minded who is susceptible of improvement although he may be included in the class on the border line between sanity and insanity. There are persons who have become so defective in the fibre tissue, so perverted in their faculties, whose nature is so warped, whose system has become so impregnated with malevolence that during the life time of the man with the facilities that we have it may be impossible to eradicate all these things; but the professional thief or criminal does not constitute in the American States over 10 per cent. of the gaol population. There were 60,000 in the prisons of the United States in 1889, and you may go through them all and you cannot get more than 5,000 who can be fairly designated professional criminals.

The CHAIRMAN.

Q Given a man of criminal tendencies but held under restraint. He hears that a man who has committed a crime punishable by twenty-one years penal servitude may be sent to this reformatory, and by living up to the rules may get out in two years, what would be the effect upon such a man? A. Let me transpose your question slightly. What is the feeling of such criminals brought before the courts of New York? Those who know Elmira Reformatory want none of it, etc.; ask to be sent to the State Prison in preference to it.

Q. Does the system create good conduct prisoners rather than reformed men? A. It has no such effect at all, the man who expects to be a criminal again desires above all things to know how long he is to be in prison, and he dreads the uncertainty with the liability to a long period of detention. "Oh, for God's sake tell me when I'll get out Don't send me to Elmira where I don't know if I'll ever get out," are some of the things they say. Then, of course, the disciplinary system, the condition of release, properly regulated, are all against them. I could open a summer hotel here on this beautiful hill side overlooking this fecund valley, and with all the green houses and summer houses, and leave the men there to do as they please, to sleep as long as they please, wander about, smoke their cigarettes, and make it so that people would desire to come here; but this is what Chas. Dudley felicitously called the school of adversity, where the moment a man enters he is subjected to the painful operation of revolutionizing his habits and undergoing constraint, and however pleasurable it may be for him to live in, he is always chafing at being under all these restraints, although he is successfully treated.

Q. One judge sentences a man to your institution, another for a like offence in an adjoining county sentences a man to Sing Sing. What effect has this upon the commission of crime and what effect has it upon the prisoner? A. It is impossible to administer penalties to satisfy the sense of justice of the prisoner. If it could be the effect would be evil, for he then pays the debt and feels himself quits with society.

Q. Do you regard labor as a most important element in the reformatory institutions? A. I regard it as a most important element.

Q. What would be your ideal system of employing prisoners in a reformatory? A. I am now asked my ideal system. The purpose of the introduction of industries into a reformatory for prisoners should be two-fold at least. They should be instructive to the men and should facilitate a man's earning a legitimate living when released; second, they should serve to test their ability and disposition during the period of their imprisonment. Pursuing this purpose you must have diversity of industries adapted to the capacity of the men, which will harmonize with the other rational methods in force to work changes in the physical tissue and in the mental capabilities and habitudes, imparting with the disposition the ability and expert knowledge necessary in the preparation of the men for legitimate industrial energy. The plan of organizing these industries must be closely analogous to that upon which industries are organized in society. The guardian or parent pays the expense of the child when he is learning an industrial art, and here the system should be closely identical with that outside; that is to say, in carrying on an industry here the State supplies the plant and the buildings and the ground at its own expense for the protection of society. The State may pay a certain proportion for the general expense of the establishment, and the man who is engaged in any industry should be obliged to defray that part of his cost out of his earnings, practically that he would have to pay outside. He should not be subjected to greater or severer task than the man in his position outside; he should pay for his food, clothes, medical attendance and that sort of thing the same as he would outside; and when we go on to study this we find how wonderfully it opens up this truly ideal system. A man should be trained in working, earning and paying so much a week for all his expenses; more than that, he should be trained in the disbursement of his funds. He should have a credit account. I intended to open a great dining room down there on the European plan where men who have a credit account could within due limit satisfy their appetites; that is to say, a man could have breakfast for three cents, or for ten cents. He can do that and leave 25 per cent. of what he would be entitled to to his credit. It is only by some such plan as this that you can train a man to providence and test his improvidence. It is only in some such way as this that you can develop in him a provident industrial instinct, a love of industry, of saving and economical expenditure. He would never have that without this training. Those who cannot be brought up to be self-sustaining, occupy a similar position in society to some classes outside; they are dependent and have to be supported by others. I may state here that the act under which prison industries must now be conducted in this State contemplates compensating prisoners for industry, willing-

ness and good conduct, to the extent of not more than 10 per cent. of the earnings of the prison to which they are confined. The plan by which this law can be carried out is to introduce several manufacturing industries sufficiently diversified to meet the capabilities of the prisoners, who, after being duly trained, shall be put upon wages by the piece or process or by the hour at the lowest regular wages paid free labor for similar work. The whole of the amount of the prisoner's earnings to be credited to his account, from which such items as the cost of his maintenance, as representing the proper expenditure for him when free, shall be deducted. In the case of prisoners who could earn a considerable amount in this way, the limit line of his expenditure for indulgence should be fixed so as to preserve a style of living in keeping with his condition as a prisoner.

Q. Would you recommend the Government of Ontario in the selection of work for the employment of prisoners to adopt an industry that was not in use to any extent in the province and pursue it against all comers? A. I agree with you that where prisoners are confined who are not making any progress towards rehabilitation, the Government might take an industry and develop it under this gradation system that we have already been speaking about. It can be developed for one division, at any rate, of these prisoners. As a railway advertises that it is chartered to run through this or that territory, let the Government take this up and let it be understood that this is a Government industry; I hold with this entirely.

Q. Do you hold that a prison or reformatory should through the results of its industry be self-supporting? A. In a high class reformatory like ours it is not necessary; indeed, it could not well be where instruction is given without reference to revenue. To qualify this statement by reference to the principle I have already explained: the prisoner, so far as he is individually concerned, has to pay out of his earnings such measure of the proceeds of his work as would support him if he were living outside, but the prison itself would not be self-supporting. As regards an ordinary convict prison, however, there is no reason why it should not be self supporting

Hon. Mr. Anglin.

Q. What proportion of the total cost of your establishment do you expect will be met by the earnings of the men? A. I expect to earn next year $50,000 out of $100,000. There were eight industries that were practically prohibited under this new law.

The Chairman.

Q. Under what law are you prohibited from carrying these on? A. The law of 1889; first we were prohibited from manufacturing stoves and hollow-ware.

Q. What is the reason of that? A. Our hollow-ware is called iron, and that is prohibited.

Q. Is this system upon which the prohibition is based simply the result of some persons outside objecting? A. That is so. Then the brush business is prohibited here; then comes in the general prohibition in regard to boots and shoes other than those we require for ourselves. The law prohibits directly shoe making, the manufacture of stoves or hollow-ware and the five per cent. limitation clause of the Act operates to prevent our resuming chair making, brush making, broom making, while the pipe business which was provided previous to the passing of the Yates bill in 1888, with a plant sufficient to employ seventy five men is reduced to less than a dozen, too few to warrant the employment of the experts that we require. The hardware manufacture, for which there are plant and facilities to employ 250 men, is reduced to 120.

Q. Do you think it desirable, either in a reformatory prison or penitentiary that prisoners should be kept employed only at articles that are required for the maintenance of the institutions belonging to the State? A. That is impracticable, it would be impossible to keep the prisoners going were they circumscribed to the wants of the institution. Then there are many things, articles that are purchased in small quantities, which, to make in a prison, would add greatly to the cost of the institution.

Mr. Jury.

Q. But so far as practicable, don't you think it would be well to make in prison all the articles that are required in the prison? A. I think as far as possible, but you would find that that would be only to a limited extent.

Q. Why could not one prison make all the cloth, and one all the cotton? A. That might do with your prisons, but you cannot do it in the reformatories.

Q. How many men would you require to make cloth? A. Fifty men would supply everything that the institutions would require—lunatic asylums and all.

Q. Have you made any calculation of the relations of the prison labor work to free labor outside? A. The best statement that we have upon this subject is that it amounts to one-fifth of one per cent.

The Chairman.

Q. Are you opposed to the contract system for prison labor? A. Well, I have been for years as applied to the reformatory institutions, but as regards penal establishments I do not know that I could have any opposition to offer to it. When you have eliminated the incorrigible classes it is a matter of small importance whether they are employed under the contract system or piece-price system.

Q. Have you ever tried the plan of giving the prisoner a share of what they earn? A. Yes, I have.

Q. With what result? A. Well, it is exceedingly difficult, to start with, to give a man a proportion of his estimated earnings without regard to the general result of the earnings of the whole prison. It is an extremely difficult thing, and I'll give you an illustration of this fact. Warden Perkins, of Joliette, found himself in a difficulty; they were cutting stone for a gaol there and there was a system of overtime initiated. The men earned extra money and gambled with each other and there was a general state of demoralization in the institution, and upon investigation it was found that the public treasury was out more than $50,000 through the arrangement. I had a contractor in here making hollow-ware; we agreed upon the task for the whole of the men, we made certain experiments and decided to make a certain average task for the 200 men who were employed at that. Then he voluntarily agreed that for what was above the average task he would pay over to the management of the institution, at the outside rate for such work, so I assembled the prisoners in the lecture hall and explained to them what I proposed to do. One of them spoke out "if I had more than my task and a man working beside me did less than my task, what I do over has got to pay for his shortage." "Do you think there is any injustice in that," I asked. "Certainly, I do," he said, and there was a good deal of feeling upon the matter. The plan went into operation and the men went on increasing their credits and the sum was distributed according to the percentage of success and then the contractor saw that it was going to amount to a good many thousand dollars, and immediately he began to put obstacles in the way of the men earning the additional amount. There was a great amount of irritation and it was stopped.

Q. Do you think that the expert in work should give place to the man who is not an expert and who is not a good workman? A. You will have to conduct your prison according to the standard that is applied in the community in which you live.

Hon. Mr. Drury.

Q. Do you think that it is important that a man should be required in a public institution to do much the same as he would be required to do if he became a free man again? A. I do; that is important in my opinion.

Q. Would it not be better to let them work five hours full pace, rather than ten hours at half pace? A. I do, I think it would be better.

Mr. JURY.

Q. By creating carpenters and moulders here you do not create openings for them when they go outside. Have you considered whether you do not create more criminals by the congestion that you bring about in the labor market? A. I will begin to answer this by this postulate: The men I have in hand—the criminal—is or was previous to his committal engaged in some self-sustaining occupation or he was not. It is manifestly for the welfare of society at large that each resident of the state should be in legitimate employment, earning enough for his own requirements. He is unable to earn enough to meet his requirements or his desires: to gratify himself he robs somebody else and does something that he is committed to prison for. And is the state having deprived him of his liberty because he has transgressed the laws, to leave him in the same position as before so that when released he may commit the same offence again? Is it not its duty, in its own interest, seeing that this man was out of adjustment with his surroundings, to provide that when he is restored he will be engaged in some such way as will prevent his getting into the same trouble again? Is it not a manifestly proper thing to put him at work which he ought to have been engaged in in the first instance, and which had he been engaged in, society would have been satisfied and would never have deprived him of his liberty; I say I will put him where society wanted him and where through his not being they have seized him and shut him up.

Q. When you turn a man out a mechanic he takes the place of some man that might grow up an honest man. Don't you do all that class an injustice, and thus the tendency is to create criminals all round? A. The answer to this is that every man who has to work to earn his subsistence is in competition with somebody. If he is a common laborer he is in competition with a common laborer; if he is a mechanic he is in competition with mechanics. The laborer earns the least and is entitled to most protection. Mechanics can do better and they are better able to sustain the competition than those men who are below them.

Q. But why not leave things to take their natural course? A. You have to consider that this man—this prisoner—must be in competition with some law-abiding citizen of one class or another; or you drive him into crime again. I am going to send him out here to enter competition outside in a sphere where his competition would be less injurious than the occupation he was engaged in before. Is it right for me to determine that his competition should come into contact with those less able to earn their living—the laborer—or with the mechanic who is best able to earn his living; for myself I prefer the latter alternative.

Q. Only you put him into the second best position, that of the mechanic. Why not put him into the best, educate him to be a lawyer, teach him to be a doctor? A. By all means, I hold unhesitatingly that every man in prison shall be qualified to earn his living in the sphere for which he is best adapted, and if he is naturally adapted to become a lawyer or a doctor I would not be against his having the opportunity of doing so. We have them here capable of undertaking the highest branches of labor.

Q. Is it a fact that the greatest number of criminals come from the laboring classes? A. They are classed as such.

Q. Don't you think that a large proportion of our crime is due to the defective social organization of society and to the unequal distribution of wealth? A. If so, what are you going to do about it?

Q. Make the laws of distribution more equitable. What we want is your evidence on this point so that we will make laws that will prevent monopolies? A. You ought to keep in mind that you have to accomplish the cure of crime as well as the prevention of it, and it is to this specialty I have devoted my attention.

Q. Don't you think that the prevention is better than the cure? A. There is a certain proportion engaged in the field of prevention but we do all that we can within

our own lines. The criminal is a man who is out of adjustment with society. We do all we can to put him in adjustment with it.

Q. Why not adjust society. You admit that these men are criminals because they are out of harmony with the social conditions around them? A. Well, I bring the criminal into harmony with the conditions as they exist.

Q. It is not merely because a man carries a hod and wheels a barrow that he is a criminal; but because he is unable to get a living If you so adjust society that any man who will do an honest day's work will be able to earn a comfortable an honest living, there would be less criminals? A. I object to the premises. You have left out of the question entirely the subjective character and the condition of the men's labor. There is nothing in common labor that makes a thief; there is nothing in any particular employment that is a positive factor in determining that a man commit crime. You take a defective individual and you see his weakness and his strength if he has any: you are not going to put him in a grinding mill where he will be strained at every point; you will put him where he will be subject to the lesser strain. You see that this man is capable; has a fine mechanical instinct; has never been introduced to any employment where he can with less strain than he has been accustomed to earn sufficient for his wants; has been out of adjustment; is it not a wise thing to adjust him as much as possible; is it not better than to have him as he was before?

The Chairman.

Q. If there is a greater number of laborers than mechanics, would there not necessarily be a greater number of criminals amongst the laborers? A. I should think so.

Q. Are your district or common gaols under the direction and control of the State or of the counties? A. Of the counties.

Q. Would there be an improvement, in your opinion, under complete state control? A. Oh, yes.

Q. Have you any means of employing prisoners in your common gaols? A. No. There have been isolated instances where an attempt has been made to work them, but it is not general.

Q. Have you any common gaols exclusively for the confinement of untried prisoners? A. None.

Q. Have you any prison in the state where prisoners are confined strictly on the cellular plan? A. I believe not.

Q. Are you of opinion that the cellular or separate system would prove effective in the reformation of criminals? A. I do not believe in it at all. When a man is put under arrest you want to make him better. Solitude tends to barbarism, as everybody knows who know the history of civilization, and the purpose of a reformatory prison is to fit a man for society, not for becoming a savage. He should be accustomed to the association of his fellows; should be taught to resist the temptation and to be able to meet the circumstances of life in which he may be placed; however, in a prison system—a state created prison system—I think some comparatively small number of cellular apartments might be advantageously provided for the temporary detention of those who go down, and down as punishment. It shews a man, as Brook put it, "That as he goes wrong the grasp of society tightens, and as he goes right the grasp of society relaxes."

Q. What in your opinion are the chief causes of children becoming vicious and criminal? A. Oh, my God, can you tell me why Adam fell. First, there is bad heredity and the transmission of the general traits of crimes or alcoholism in the ancestry. This transmits a vitiated nervous tissue, epilepsy and other diseases, and thus it is that many of these are given to sexual excess. A vast number of children have

quarters where their surroundings are bad. Irregular and insufficient food. There is no real family life, humane influences are absent. All who are brought up in that way have necessarily to meet vicious social contact, and a healthy moral condition is impossible for a child brought up in the lower streets of the large cities. They are brought up amidst all the elements that are calculated to produce crime on the part of the young. Take for instance New York. Those in tender years living in those lower localities are constantly associated with some ex-convict and may at any moment fall into crime. Generally these low elements—the conditions of physical degradation and degeneracy through sexual and other forms of vice—tend to produce criminals.

Q. Now, what would be your ideal system of saving children and what institutions would you recommend? A. I would not consider the institution the means for grappling with such matters as these. These are not the means that have grown up in civilization to ameliorate fundamentally the conditions of the masses. I think that by the improvement of our common school system we can accomplish much. It is extremely faulty. There is no place where such a large proportion of the masses are gathered as in the public schools. To go into this in detail would occupy a great deal of time, but amongst the things I would suggest would be a modification of the curriculum, the introduction of physical and manual training, and these would be the saving of many children. Now, take children that come to us in these institutions. I believe thoroughly in the Massachusetts system. I believe in it as a means of preserving the young. It has no doubt prevented many from falling into evil courses who would be criminals to-day had it not been for the work that has been carried on there. I have great faith in the efficacy of human society. This system of dealing with the youthful criminals is the best; when you cannot do anything better take them to an institution. I am not a crank about it; I think if the child goes to an orphan asylum or any other kind of institution of the sort, the first thing is to make it better physically—to make a better physical being of it than it was before. This process of physical elevation and improvement may be carried to a large degree of perfection with children, and as soon as they are healed so to speak—as soon as there is a reasonable prospect for them in the world—they should be pushed back into society; so that you may diminish all the time the number that you are treating and leave room for the application of your system to others.

Q. Would you have the same supervision of this class of children that you give to your own? A. Yes. I would have the State agents everywhere, all under the control of the Government. They would be the authorities for dealing with the children who do not reach the institution. It is an economical thing to do—it is a humane thing to do.

Q. Now, as to the juvenile reformatories? A. I can hardly talk about those. They are moving forward a little, and they are doing exactly what we do, and boys feel the better for the treatment they receive there. There is no doubt that the reform schools generally can be greatly improved. At Rochester the people have started the New York Juvenile Asylum, and there are a lot of very prominent gentlemen in that city who are working up a system which I think is going to accomplish a great deal of good. I have been in correspondence with Superintendent Jones, who has made an appointment to visit me here and see what can be done in the way of physical training. Another difficulty in the way of reform schools is that the boys—the children—are not known individually. Individual treatment and the adaptation of treatment to the various idiosyncracies of the child regulate these so that the vicious propensities in the child may be eradicated

Q. Are you opposed to the congregate system of dealing with children? A. I am not opposed to the congregate institutions. I would limit the association plan by a combination with the family plan. That constitutes the best system in my opinion.

Q. A method was proposed at a meeting of the Prison Reform Conference in Toronto last year which reads as follows: "A boy under 14 years of age not previously vicious should be restored to his parents upon their giving a guarantee of his future good conduct; failing this he should be sent to an industrial school." Do you believe in restoring

a boy to his parents who has committed a first offence? A. I would approve of it certainly. If you restore him to the parents you should see that he is removed from bad associations.

Q. The next resolution reads as follows: "A boy under 16 years of age having a natural tendency toward crime, on being convicted of a second offence, should be sent either to a reformatory direct or to an industrial school on trial according to the circumstances, and a special court should be organized to deal with these cases as well as with females charged with light offences. A boy should never be brought to an open police court or sent to a county gaol." What do you think of that? A. Nobody should be sent to the county gaol for whose reclamation there is any desire or hope. I do not know about the importance of establishing tribunals for boys. Little devils 14 or 15 years old have already often vast experience of the court.

Q. Another clause I should like to ask you about is: Industrial schools and reformatories should not be considered as places for punishment, but should be utilized wholly for the reformation of character. The young persons sent to these institutions should not be committed for any definite period, but they should be detained until reformation is attained irrespective of the time required. The officers of these institutions should be carefully selected, preferably by a system of examination and promotion, and without reference to party or social influence? A. That seems all right.

Q. Then as industrial employment is a necessary step towards reformation, and as this cannot be supplied by the county gaols, the necessity arises for prisons and reformatories of ample dimensions where such employment can be provided and where other influences of a reformatory character may be utilized, and where a system of classification may be carried on? A. I give my entire adherence to this.

Q. If it were considered desirable to establish reform or industrial schools by the grouping of a city and certain counties together, do you think that they should be placed under municipal control, or under government control? A. Under government control.

Hon. Mr. ANGLIN.

Q. Will Mr. Brockway give us some idea of his educational system? A. The plan or principle that underlies it all is that every inmate should be assigned an intellectual task intended to engage his intellectual powers and to carry forward his intellectual development to the utmost. The tasks chosen are those most likely to meet these conditions, for we start on the assumption that every inmate can be educated; that necessitates of course a large school where everybody shall be engaged. I need not speak of the primary work here for nobody can take exception to that. It is of the usual rudimentary description and suitable for awakening the intelligence of the inmates of the lowest standard. Some exception might be taken to our literary class, or political economy or science classes. The intention of these is to engage the more educated men and to occupy their time. In a reformatory process the first thing to do to a young criminal is to destroy and eradicate his criminal activity; to do that you have to resort to a highly organized system, but this is not enough. You have made it impossible or impolitic for him to exercise his finesse in any habits that tend to develop criminality, but you must get activity of another kind in its place. To do this you must engage his whole time. If you occupy a criminal half the day and then leave him idle the other half day, all the good you accomplish may be practically undone. Therefore he should be awakened to the bugle note. We don't allow our men to get up until the bugle is sounded whether they are asleep or not. From this time their activity should be employed in a series of educational and industrial departments. Now, proceeding from the upper division of our school we start perhaps at percentage in arithmetic and carry our pupils all through arithmetic to mathematics; then we give them American History, especially the growth and influence of civil institutions, and we give them education in business law and science. We take up English Literature including a historical

survey of the influences that have modified English and American thought: Biography, all the great authors and a critical reading study of the representative master pieces for the acquisition of thought and the elevation of literary taste; Political Economy, tracing the growth and characteristics of industrial society and study of the principles applicable to economic life in the present condition of society, touching production, distribution, exchange and consumption. Higher arithmetic, algebraic processes and geometric principles, such as are necessary for the prosecution of advanced work in the practical courses of science. We have stenography, type-writing, telegraphy, ancient and mediæval history, confined principally to the great peoples of antiquity and to those civil institutions of later times which have exercised an influence on the progress of humanity. Practical Ethics: This branch taking for its subject that which every other study in the course is intended to indicate, and for which all our reformatory agencies prepare the pupil—"Right living." This is the purpose we have in view and it is kept constantly before their minds By these compulsory studies, when they are members of the community again they will understand more or less our organized society, and the studies themselves enlarge a man's conception of himself.

Mr. JURY.

Q. Who is the teacher in Political Economy? A. Judge Dexter is lecturer in Political Economy.

Q. Does he take his own political economy? A. He takes the standard works.

Q. How often does he come here? A. Once a week. We have also, I may say, a course in physical geography—a course of forty or fifty lectures. During the summer time, that is now, they are occupied on mediæval history, and they have had American history in the lower classes. So this is how the mind is reached—by a new and higher conception of things, but I think that perhaps the most useful of our classes is the Sunday morning ethical class.

Q. What do you teach—utilitarian morals? A. We have different questions; one of the last was right and wrong competition.

Q. In reference to the manual training in the schools, how would you determine a man's capacity? A. It would be comparatively easy to determine that—by studying a man's capabilities and the social characteristics of the community in which he lives.

Q. How wide would you extend the range of the subjects? A. I would extend it to all the range of a man's faculties.

Q. How many have you in the higher classes? A. In the upper division 500.

TORONTO, August 4th, 1890.

Present—J. W. Langmuir, chairman, Hon. T. W. Anglin, A. F. Jury, Esq.

Dr. T. J. BARNARDO, F. R. C. S. E., called and sworn.

The CHAIRMAN.

Q. Doctor, the Commission known as the Prison Reform Commission, appointed by the government of Ontario to make enquiry into matters touching crime and cognate subjects and especially into all matters appertaining to juvenile criminality and vice, in order to ascertain what reform in the provinces of Ontario are necessary or desirable, thought that you, having had such great experience would be able to give us some important evidence upon some of the matters with which we have to deal in our enquiry. We would like to know in the first place the name of your association? A. It is a society which, unfortunately has adopted my own name, the institution is known as "Dr.

Barnardo's Home for Orphan and Destitute children." The Marquis of Lorne is the president, and our former presidents have been Earl Cairns, Lord Polworth, the Earl of Meath. The vice-Presidents are Sir Arthur Blackwood, K.C.B.; Sir R. N. Fowler, Baronet, M.P.; Rev. Canon Girdlestone; Lord Kinnaird; James Rankin, Esq., M.P.; Samuel Smith, Esq., M.P.; Colonel C. E. Howard Vincent, C.B., M.P. The Trustees are the Earl of Aberdeen; Colonel E. Drury; Lord Kinnaird; James E. Matheson; R. C. Morgan; Lord Polworth. Committee, Samuel C. Sheppard, 57 Old Broad Street, E.C.; C. C. M. Baker, B.A.; Wm. Baker, M.A., LL.B.; Rev. Canon Barker, M.A., rector of St. Marylebone: Rev. A. G. Brown, east London Tabernacle; Rev. Burma Cassin, M.A., rector of St. George's, Southwarth; Rev. D. B. Hankin, M.A., vicar of St. Judes, Mildmay; General Maclagan, R.E.; Rev. Donald McLeod, M.A., D.D.; Rev. Sinclair Patterson, M.A., M.D.; Hon. and Rev. W. T. Rice, M.A.; Rev. W. L. Rosedale, LL.D.; Rev. J. H. Scott, M.A.; Haywood Smith, Esq., M.A.; A. Butler Stoney, LL.D.; Rev. W. Tyler, D.D.; Howard William, Esq. We are just a voluntary organization, and it is under the management, patronage and control of the Board I have named. Its object is the rescue of children who are destitute and orphans, and who are likely from this fact to suffer very greatly, and perhaps to degenerate into crime. Our association is essentially a preventive one.

Q. Where has it centres? A. Our chief institutions are in London itself, and the counties in immediate contact with London, but we have some forty or fifty institutions scattered throughout Great Britain; we have three institutions here, one in Peterboro', one in Toronto, and one in Russell, Manitoba.

Q. Will you give the Commission a brief statement of the manner in which you perform your work? A. The Commission must bear in mind that our object is not primarily emigration; our object is chiefly to rescue, industrially train and educate, orphan and destitute children; emigration is only applicable to a very small portion of the children that we receive. It will be necessary for you to bear in mind that we are in London, and the conditions of life in London must be borne in mind in order to justify the action that we take. The chief principle of our charter is—I am using the word in a certain sense only—that no destitute child shall ever be refused admission at our door. The next question asked will be what is our standard of destitution. If a child has a father capable of working, that child is not destitute in our view of the case. We take measures to bring to bear upon the father who neglects his duty—such power as the law affords—in order to compel him to do justice by his child; but if the father is a criminal, if he is a habitual drunkard, if he is a cripple, if he is physically incapable by disease, or if from any one of these causes he is unable to maintain his child or children, or unable to be their guardian, we look upon these as exceptional cases, and to such children we extend under certain limitations the benefits of our institution, just as if they were destitute; but it must be borne in mind that these cases are quite exceptional. The great body of our children either are the children of widows or are entirely orphans, or are children who have been deserted by their parents, or who have escaped at some time or other from proper control. You are aware that when a child is fourteen he may claim his discharge from the work-house. Supposing that a boy or his relatives do this and do their best to get him work and he fails, that boy gets on the streets and into common lodging houses, and into the society of criminals, and if some agency is not at work he is lost. I look for such as are only at present waifs on the streets, but a short time makes them criminals. It is important, both economically and from a reformatory point of view, to reach such a lad at a time when he is thus helpless and when he has not yet been absolutely driven into crime; and if this applies to boys it applies with much greater force to girls. An immense proportion of the population of London is a population of a parasitic character; it feeds and loafs upon others, it has no certain dwelling place, no means of earning a livelihood, and as regards the children of that class they have no one who is responsible or can be held responsible for their upbringing. These are the children of the State truly. Some writers apply the term only to such children as are going into the hand of the State and are placed in the school—placed in the district or other schools supported by the State. We call them

children of the State because they are our future citizens and have no guardian but the State to care for them. Our organization is engaged, and has been for twenty-five years, in searching out these children. You have to go to them to rescue them, because there are numbers of these children who get enamoured of street life and its freedom and its absence of control, and a certain peculiarity of its own. So long as they are healthy and able to maintain their precarious state of existence they remain there until they become a disgrace to our civilization, and in course of time, if left alone, they would insensibly pass over the border line and many of them would become criminals, so far as the boys are concerned; and many of the girls would become vicious. Now, we set ourselves to work twenty-five years ago to establish an agency to search these children out, and being a voluntary institution, and having no powers but the gospel, we could only invite and direct the way to go. Instead of this being a source of weakness it has really been a great source of power to us. Our doors are open, but no boy or girl is compelled to remain with us. We have no prison arrangements. Then we have gradually enlarged our scope of operations. We found out that there were young children here beyond the means of earning a livelihood, that they exist in vast numbers in cities like London, Liverpool, Glasgow and Manchester; and that other things being equal, the condition of the destitute child is worse if it is physicially low and suffering either from some deterioration of the body or some physical defects. We thought it a duty and we resolved to rescue those, and thus the organization has spread so that child life upon every plane, and under every possible condition is comprehended within our scope and no class of childhood, neither sex, age, nor physical condition, is kept aloof from the benefits of the institution. Thus what we call our charter is about as wide as it can be.

Q. You have described the kind of children that you deal with. Kindly describe how you gather them together into those homes? A. We adopt every known method for gathering the children, because we hold that no one method can be universally applied to all classes; for example, girls are best brought up in the separate small family system, and for girls we have institutions we call village homes. The village home contains fifty two separate cottages. Each cottage is presided over by a lady who has to be a person of good education and good position in life.

Q. Where is this village home? A. At Ilford, in Essex. Our cottages have girls of all ages, from the tiny baby to the great girl who is nearly qualified to go out into life on her own account. These are conducted upon the model of family life as nearly as is possible. We adopt no uniform. The children live in family groups close together; the idea being to substitute the natural conditions of a cottage home in each of the houses. The daily life of the village is as far as possible home life. The cottages are fitted up with a mother's sitting room, a sitting and play room, dining room for the family meals, scullery, pantry, bed rooms, and mother's room. Of course all our girls that come under our care are not sent to this home; a great many are dealt with another way, that is, on the boarding out plan. We board out very largely. We place individual children in the cottages of persons of the industrial class throughout the country. We form small local committees; we will say in certain villages and towns. At the head of these are generally prominent ministers and gentlemen living in the vicinity. There are always one or two ladies and one or two other persons who take an interest in such work, and these persons undertake to visit the children, and several families of rank have them in their hands and they do well. In addition to this we have medical men, a lady who is a doctor of medicine and fully qualified; she is a paid agent and her full time is spent in paying surprise visits to the homes of the boarded out, in seeing the children, examining and ascertaining their condition, looking into all matters connected with them, and enquiring into their domestic upbringing. Sometimes she will take their clothes off and see if there is any trace of skin or other disease, and she at once reports to us how the case is going on. Then there are boys who are in establishments by themselves. The boys are divided into, little boys, and medium sized boys, and the great youths who are no longer boys but are not men, although approaching manhood. For little boys we have no cottage homes. The cottage home plan is an expensive one, and unless there are good reasons for it we would not adopt it; people do not generally choose the most costly articles in

this kind of work. Small groups are best for girls ; even for boys, if there are needs for them, I would not object, but as a rule we find the best character is developed in what we call the public school. We find on examination that amongst boys coming from small groups lying is frequent, and vice very prevalent, but the atmosphere in the large school, where there is a strong, healthy public opinion formed, is invariably good, and leads to the highest results. So far as boys go the tendency is best in the larger institutions on the barracks system. The officers in the institutions for little boys should be mostly women, consequently we have a number of women superintendents in these. At our institutions for boys we keep them until they are thirteen years of age and they do no work. Education, sleep and play take up their whole time, with the necessary discipline of the institution. Having passed through a certain discipline and education. I may say that a boy is not allowed to work until he is fourteen, until he has passed the fourth standard, but it is not for this reason that we keep them, because they might be at work as half timers. Boys that come to us over thirteen go to our large industrial home. This industrial home is the hub of our universe. There our best results have been attained, our best efforts have been directed.

Q. Where is it situated ? A. At Stepney. There we teach ten or eleven trades. When a boy comes there to us over thirteen, defective in education, we place him in this institution as a half timer ; half his day, either the morning or afternoon, is spent in the school room and the other half in acquiring a trade under a competent instructor. The trades we adopt are those of carpenters, joiners, brushmakers, mattress makers, tinsmiths, tailors, shoemakers, and harnessmakers, wheelwrights, blacksmiths. bakers, engineers. The boys there acquire in well appointed workshops the skilled use of their hands in these branches.

Mr. Jury.

Q. What you call engineers we call here machinists, or machine operatives ? A. I mean any work that our engineers are required to do.

The Chairman.

Q. It is however, in the construction of machinery, not in working the machinery ? A. No. The boys remain at these several trades until opportunities arise for placing them out. Some boys take special trades up with great aptitude, and these boys we apprentice to the tradesman who is over the respective departments, they become thoroughly qualified in all the branches, and when they leave they are able to get work in any workshop in the United Kingdom.

Q. Do the labor organizations object ? A. We used to have a little trouble with the union men but we have none now. Tradesmen do not object to take our lads if they are qualified. A great number of the boys who enter these establishments do not acquire such a knowledge of the trade as enables them to earn their livelihood afterwards. Therefore it is contended by some that it is waste of time to put them at this kind of work. After an experience of twenty years we have learned that it is wise to place there even if they do not learn enough to enable them to follow the trade afterwards ; for example, a boy learns to be industrious ; he has an object before him all the time. He has been at work and the experience he gains in the workshop makes him a handy man, and is of service to him in his subsequent career, whatever it may be. Take the Canada boys. If a boy comes out here from our workshops, although he may have known only a smattering of one trade, it so happens that he might be in some village where there has been say no shoemaker or person capable of repairing shoes. He would be the only one in the neighborhood that can do anything of the kind. We should not employ him at home in this particular work, but you see that the knowledge that he had is not thrown away as regards himself and is even of advantage to the community in which his lot has been cast.

Q. How many of these depots have you in England for the reception of these boys. You have told us you have only two places for the girls, and that you place them out in

families or into your village homes? A. We have a home for infants, babies, situated at Hillside, Hawkhurst, Kent. That institution receives infants, either boys or girls; for example, more babies come to us than we can dispose of in our homes, for we could only place one in each, and we have this institution specially for them.

Q. How many depots for boys and girls have you in Great Britain? A. We have eighteen.

Q. Now then, doctor, you have told us of the class of children that you deal with, and the principle upon which you gather them together. Will you kindly tell us what you do with them after they are trained or ready to be sent out? A. A great many of the boys go to sea and of the girls the great majority go out as domestic servants. They are all trained for domestic service in the homes, and the demand is three or four times beyond what we can supply. With regard to the boys, a large number go out to the trades for which they are qualified. Very often a boy that we would like to place out in Great Britain, with a tailor, shoemaker, brushmaker, who is perfectly qualified, volunteers for Canada, and if he volunteers and presses hard to go, and his record is satisfactory, we let him go.

Q. You say your organization has been at work about a quarter of a century. What number have come under your care during that time? A. Up to the 31st of December last it was 16,500.

Q. Must all the children, boys or girls, who are brought into your fold be destitute or orphans or the children of parents who are drunkards or cripples, and physically unable to earn a living? A. Yes, but a certain number of cases could not be comprehended even under this description. They are those who are under grave moral peril. We frequently receive girls about whom we cannot explain all the circumstances that come to our knowledge; but if we do not admit them they might be in danger outside. I merely mention the initial stages, the reception at our doors. Our door are thrown open to rescue all those in extreme peril. I have rescued a boy from the custody of pickpockets, and I found that he had a father well to do in another part of the country, and I passed him over to the father. He ran away from home foolishly, I think, and got amongst thieves, and we rescued him.

Q. Have you an Act of Parliament giving power to retain these children in the homes, or in a family, in order that they may be sent to the parents? A. We had no such law until last year. There was an Act passed then for the better prevention of cruelty to children, and under it the magistrate has power to commit to what is technically known as a safe place any child brought before him. Where the parents or guardian, or people in charge of him, or employer, shall have shown him cruelty which has jeopardized the child, the magistrate has the power—the judge has the power to punish these people for cruelty, and to commit the child to any work-house or certified industrial school, or place known as "a safe place." I have had several children committed to me under its provisions by the magistrate. This was only made compulsory by the act of last year. All that we did was voluntary before.

Q. How many have you sent abroad, to Canada, Australia or any other country during the quarter of a century? A. I received notice of the commission sitting to-day only late on Saturday night, and I have had very little time to collect information, but I believe I am far within the mark when I say that the number of children, boys and girls, that we have sent abroad and placed in Canada and the Australian Colonies, is considerably less than 5,000—4,414 of whom have come to Canada. Of the 4,414, 3,145 were boys, and 1,269, were girls.

Q. Of those who went abroad how many came to Canada? A. The total number, except 175 I believe. All went to Canada with the exception of those who were sent to Australia.

Q. But it is since 1882 that you had sent out these children in any considerable numbers? A. Yes. Prior to 1882, we had not resolved upon emigration as the destination of any large number of our children, and on each occasion before that we only sent out small companies, under some favorable conditions; but in the year 1882 I became convinced that it would be well and wise to attempt emigration on a larger scale. I saw that to do this wisely we must resolve to organize our whole efforts as fully as possible, and the result is that since 1882 we have developed each year and improved our methods of emigration.

Q. Can you give us an idea of your better methods; in other words, the plan you have adopted since 1882? A. All the children who come to Canada, with the exception of a very few, who are selected when very young, are volunteers. When the time for emigration comes, we place a notice in the principal institutions, that in such a month a party of children will sail for Canada, and all boys who believe they are eligible are permitted to place their names upon the volunteer list. This is looked upon as a great privilege. No boy or girl whose record is bad, who has been known to be dishonest or guilty of any act of dishonesty or indecency in the institution, or a habitual liar, or lazy, is permitted to come forward.

Q. That is, so far as their record in the Home goes, but do you go behind that? A. We do go behind that. We get a very large number of volunteers. We might get as many as 300 or 400 applications. As the names come in, the first thing we do is to sift them. We have a perfect system of analysis of the boys, and select only the boys of the best record. Before any boy is admitted into the homes there is a scrutinizing search made into the child's past history, and we discover what the relative's position is We know how every year of the boy's life has been spent prior to admission to the institution; and this is all before us in a form that is printed for the purpose. The history of the boy or girl who has applied is made out. If we find that the record of the child is a bad one we remove the name from the list. Supposing a boy is received bad; say one who has been amongst thieves; although he has never been convicted and we have every reason to believe he has a decent character now, we would remove his name from the list for Canada and decline to allow him to remain on that list under any circumstances whatever. Then when this is done we ascertain of every boy or girl, whose record is good in the home, their physical condition, and then a searching medical examination is made by our medical officer, who is responsible and whose whole time is spent in the institution, and he will report the case to me. If there is the least doubt or suspicion of physical disease of any sort it comes under my notice, and I am a Fellow of the Royal College of Surgeons and have considerable experience of judging of such matters. Then we make a thorough examination of every child who has inherited a tendency to disease. This scrutiny extends to the mental and physical condition. We have had one or two cases only in which a boy or girl has been somewhat silly; that is the only thing we have had that has escaped our notice. We have had nothing else against them and this had not been properly reported by the authorities in the home from which the child was removed. In the first instance, there is the greatest possible care taken to see that the child is right both physically and mentally, and then that the child is not diseased and that its moral character or general record is sound and good, and none other is allowed to go on our list; all of them with the exception of the very youngest are volunteers—we never send out young children under seven years of age, and it is obvious that in their case volunteering would be a matter of form—but all the others having satisfied the conditions I have named are selected and sent out as we select the parties. The boys generally go first.

Q. Are there annual shipments? A. Yes, we send three or four parties in the course of the year. I think we have never exceeded five. We generally have sent them by the Allan Line. Once or twice we have used a steamer on the other line, but this is exceptional. We make it a condition that the part of the steerage occupied by the children shall be divided from the rest, so that we shall have complete control of the whole party. They have also their own latrines and offices, and we send with every fifty children a person who is accustomed to supervising and looking after them I think I may say

that since 1883 every detachment has been supervised on the boat by competent persons. In the ship we have the same discipline and good order as in the institution, but we have found occasionally that some traits of character have been developed on board ship that escaped our observation before, or that had not manifested themselves, and Mr. Owen, the boys' superintendent here at Toronto, has at his own expense returned such children. So much as to the management on board ship. A careful medical inspection takes place almost daily to see that no disease creeps in amongst them, and to see that they are looked after thoroughly. When we reach Canada our course is somewhat different as regards boys and girls. The girls go down to the Institution at Peterboro', where there is a large staff of English ladies under Captain and Mrs. Annesley, and there they remain in residence for a longer or shorter time. The girls require a lot of arrangements to be made before they are fitted out, and they have to be placed out more slowly, and under greater care than the boys. If a child is not well treated it might be a serious matter. With regard to the boys they go generally to Toronto, but it is often very difficult for us to send them up to Toronto. The demand for their services is so very great that a certain number of them leave on the way. There are parties who are met by farmers who receive them en route. But in every case there has been a long preliminary correspondence between us and the farmer. We would rather have all the boys come here but they are sometimes so impatient, and they have waited so long that they seem afraid to risk losing the position that is there open for them. I may say that much the larger number do come to Toronto. A certain proportion of our boys go up to our Manitoba farm. I cannot supply you with the number now, but I will see that you are supplied with the particulars as to the actual number that go to Manitoba, and the number that are distributed between Quebec and Toronto, and the number that come to Toronto.

Q. Have you, any applications for these boys before they come here? A. We have communications constantly from employers of labor all over the country. A farmer applies to us for a boy, and I may say that the applications are always greatly in excess of our powers to supply them. Take this year alone as a sample. I have had this year over 900 applications for boys, and I have been able to send out only 250; 949 applications for boys were registered in the office in Toronto this year for various parts of Ontario, and the number I have been able to supply is 250, 691 had to be refused by letter. The same is true of the girls, although I cannot give you the figures because I have not had time to get them from Peterborough. The application for girls are four or five times as many as we have power to supply. The situations are selected by us, all of them.

Q. Tell us how you distribute the boys in Toronto? A. Applications reach us from farmers and other persons in the country, but the applications are mostly from farmers here, and we prefer sending our boys and girls to the country rather than to the city. We have a home in Toronto at 214 Farley avenue, under the management of Mr. A. DeBrissac Owen, who is supported by a class of persons, visitors and so on, and when the applications come in, our first step is to obtain some kind of guarantee as to the character, social position and conduct of the would-be employer, and we communicate with either the minister of the church he attends, or we communicate with some well known magistrate or justice in the neighborhood who writes to Mr. Owen if it is from Ontario. We endeavor to ascertain whether they are persons who are fitted to have a child under their care; and amongst other things we send out this paper and the particulars contained in it.

DR. BARNARDO'S HOMES.

CANADIAN BRANCH, BOYS' HOME, 214 FARLEY AVE., TORONTO.

ALFRED B. OWEN, *Agent.*

The following particulars are furnished for the information of parties desiring to obtain boys from the Home. The boys range in age from eleven to eighteen, and are sent out on conditions varying according to their age and capability and amount of work required. A month's trial is usually allowed at the commencement of the engagement, and upon the result of this the terms are generally based. In some cases an engagement is made until the boy

reaches the age of eighteen, under which the employer furnishes board, lodging and clothing, and necessaries, and pays for the boy on reaching his eighteenth birthday a cash sum, the amount of which is determined after the month's trial. In other cases the engagement is for three years, the boy receiving in addition to board, lodging and washing a moderate wage, out of which necessary clothing is provided. In the case of boys over eighteen the engagement is for one year, but an agreement for a longer period concluded on reasonable terms between the employer and the boy will be gladly sanctioned by the agent of the Home. Attendance at school during the winter months is desired in the case of the younger boys. An employer wishing to return a boy to the Home, or to transfer him to another person before the expiration of the engagement, is required to give a month's notice of the same in writing to the agent. The agent reserves to himself the right of summarily removing any boy with whose treatment he is not satisfied. To avoid the possibility of misunderstanding, the terms of the engagement when concluded between the agent of the Home and the employer are embodied in a simple form of agreement, which employers are expected to sign, and of which a copy is furnished by the agent. Applications should be made on the accompanying form, and after being duly certified by a minister or magistrate, forwarded to the agent at the earliest possible date. No application can be entertained if not accompanied by such certificate. The amount of railway fare from Toronto to the applicant's nearest station must be advanced by the applicant, and to avoid delay should accompany the application. (*See attached slip.*)

Attached Slip.

Instead of the exact amount of railway fare from Toronto being paid by the applicant it has been decided to charge a general fee of $3 in all cases, irrespective of distance, and this amount must be received by the agent before a boy is sent out.

(Signed) Alfred B. Owen, *Agent.*

The following information should be furnished by those desirous of obtaining boys from the Home, and after being certified as below by a minister or magistrate should be forwarded at the earliest possible date to Mr. Alfred B. Owen, 214 Farley avenue, Toronto. Christian and surname of applicant, postal address, name of township and number of concession and lot, nearest railway station and distance from residence, occupation, whether a member of a Protestant Christian Church, what age boy is required, what length of engagement is required, date, signature of applicant.

N.B.—As the sending out of boys frequently depends upon the arrivals of steamships, applicants cannot always be informed what day and hour the boys will reach them; therefore it is requested that full particulars be furnished as to the route from station to residence, and if the distance is considerable, arrangments should be made by the applicant with some person living near the station for the boy's being received and cared for on his arrival; the name of such person should be furnished to the agent.

The form of certificate to be signed by the minister or magistrate by an applicant for a boy, reads as follows:—

I hereby certify that to the best of my belief and knowledge, the particulars above stated are correct, and I consider the applicant.....in every respect a fit and proper person to have a boy from the Home entrusted to his care.

(Signature) .....

That is the certificate of character which has to be signed by a minister or magistrate. We absolutely decline to send out any one where we do not think the application is *bona fide* or we cannot satisfy ourselves as to character, and as to the form being properly and correctly filled up. Supposing this is returned filled up we find what age of boy and what kind of a boy he wants and his requirements, and send the boy. The terms of this agreement we adhere to as the basis of all our relationship. Now I am anxious to show the Commission that our great care in bringing boys out here is that no boy or girl shall be abandoned; that we must keep in touch and do keep in touch with each boy and girl during the whole period of its juvenile life, of not less than five years. We keep supervision over them until they are either married, or until it is manifest that they are to a large extent able to stand by themselves. But we have girls over whom we have been exercising supervision for seven years. They are glad that the relationship should be kept up, and, indeed, it has been a means of great good to them. The agreement is signed at the end of the month or three months. The employer then knows

whether the child is likely to suit him, and the child whether the employer will suit him. If he is not a suitable boy he is perhaps returned to us, but this is in very few cases. The agreement entered into reads in these terms:—

Agreement made in duplicate this.....day of....., 189.., between Alfred B. Owen, Agent of Dr. Barnardo's Homes, and.....of the Township of ....., in the County of....., respecting the boy.....aged.... years, recently an inmate of Dr. Barnardo's Homes, and at present under the management and the guardianship of the managers of the said Homes; witnesseth that the said..... agrees to engage the said.....for a period dating from the..... day of....., 18.., and ending on the .....day of....., 18.., to furnish him during that period with board, lodging, washing, clothing, and necessaries, and to pay to the said .....or to the said Alfred B. Owen, or other authorized agent of Dr. Barnardo's Homes in trust for the said.....as shall afterwards be determined, the sum of..... It is agreed that this engagement may be terminated by either party giving one month's notice of the same to the other in writing, but the said Alfred B. Owen, reserves to himself or other authorized agent of Dr. Barnardo's Home the right to remove said.....summarily and without notice should such action be rendered necessary by any ill-treatment to which the said .....should be subjected. It is agreed that should the engagement terminate prior to the above-mentioned period then the sum of $..... shall be proportioned as follows and paid in that proportion by the said..... The said.....agrees to send the said .....to school for at least four months in each year, for a period of.....years, to promote the attendance of the said..... .....at church and Sunday school, to communicate occasionally by person or letter with the agents of Dr. Barnardo's Homes as to the progress and welfare of the said....., and to co-operate generally with the agents of the Homes in exercising judicious supervision over him and in promoting his interest and well-being. Witness our hands..... .. .

We have a staff of skilled and experienced visitors whose whole time is occupied in making surprise visits all over the country, and the boys and girls are placed under them. Ladies only visit the girls and men visit the boys. I have here a number of visitors' reports, which shew the remarks each visitor has made upon the case, and I will allow you to examine them. We have but one or two clergy visitors. Occasionally one has been a justice of the peace in Canada, and also a farmer, so that he knows how to manage the boys. He knows what the claims, what the requirements of the farmers are. These visitors are selected by myself and Mr. Owen. We have such and such a person on probation for a time; he would be highly recommended to us before we should think of employing him, and we would be satisfied with his record and character. Mr. Owen would try him for a while and then he would engage him. In the case of a lady, I bring her out from England. I think they are all salaried with the exception of one lady. We are kept regularly posted in this way as regards each child. We know where every boy or girl has been placed, and we know every incident in its life since it has come out here.

Q. How often are these surprise visits made? A. We have made them a little less frequent than formerly. We pay now from two to five visits a year. Supposing a boy was not going on well he would be visited more frequently than if he kept doing satisfactorily. Here is a minute book shewing the entries regarding each. I have got a staff of clerks who do nothing else but attend to this, and if you examine the book you will see how unjustifiable are the abuse and criticism that we have received in a large and undeserved measure.

Q. Do you mean to say that you keep a debit and credit account of every boy? A. We do, and I am most careful in seeing that this is carried out. We often have to change the boys, sometimes we have to put them to three or four places before we can fix them satisfactorily. Sometimes a farmer expects a great deal out of a boy—expects a boy to do the work of a man, but very often a boy will prove himself unable to please one or two employers and then he is engaged with another; but whether he does well or ill we have a ledger account and every boy and girl are carefully looked after, and every letter that they write, or at any rate the precis of it is given there, and precis of our reply.

Q. What are the ages of the boys who go to these farmers? A. Well the ages run from fourteen to seventeen.

Q. What is the average wage? A. In the first year necessarily it is very low, because the boy has everything to learn. He can only do the chores in the house and he gets board and medical attendance if he is ill. His wages might go up to $5 a month but that is the maximum for the first year; in fact, it will probaly average $3 a month. We are not so anxious to get wages then as to get him comfortably situated with facilities for becoming acquainted with his occupation. He has no clothing; at first we send him such a good outfit when he leaves that it will last until the second year; then his pay will rise from $5 or $6 up to say for a big fellow $10, $15, or $20 a month.

Q. Those who earn $20 a month must be fine strapping fellows? A. Yes, I think the general average for the second year is from $8 to $11. As to the third year I do not know that I could tell you, the amount varies so much. I make it a rule that each boy is given two post cards, stamped and addressed before he goes, so that he is able at once to communicate with Mr. Owen if any great difficulty arises or if he has any need for assistance. In the case of girls they have post cards and envelopes.

Q. Now, as regards Manitoba, what do you do there? A. Well, this is a form I should like to put in. It shews that there has to be supplied to the head office in London every five years after a boy has been placed there information with respect to him. It contains a precis of the whole history of the boy. The form reads:—

DR. BARNARDO'S HOME—HALF YEARLY REPORT TO THE HEAD OFFICE.....189

Name of boy.....age....date of arrival in Canada.....Steamship..... name and address of employer.....occupation.....letters received from employer. .....letters received from boy.....visited by.....other sources of information .....information gathered regarding health.....conduct and behaviour..... general progress.....character of the situation.....terms of agreement..... changes in situation if any since previous report.....general remarks.....

One of these reports duly and carefully filled up from the Canadian records is sent to England every six months for five years after a boy has been placed out.

Q. How many visitors have you in Ontario for boys? A. Mr. Owen visits himself, Mr. Davis, and we have altogether five; three are constant, two are not; all these are paid. We have for the girls three constant and one occasional.

Q. You were going to speak of Manitoba? A. In Manitoba our system has lately taken another phase. The safeguards adopted in regard to the selection are the same, but when they go there it is not for distribution at first, they remain on the farm. In the first place, all the lads are over seventeen; no lad is sent out to Manitoba under that age; all practically are youths who have been tested in "The labor house for destitute youths" in East London where they are trained to rough hard manual labor. No lad known to have bad habits, vicious habits, known to drink, and no criminal, is ever sent out. They are bound to remain with me there for twelve months and I undertake to pay them $7 a month from the moment they reach the farm, that is, the moment they reach my farm at Russell, but out of that $7 they undertake to repay to me a fixed sum which I had expended in their passage money and outfit. In the agreement we have a condition as to wilful damage to implements and this makes them much more careful with implements and property than they would otherwise be. At the end of twelve months we have no difficulty in getting them places. At harvest time the demand for them is very great indeed. This home at Russell is a large farm, with an area of nearly 9,000 acres or fourteen square miles. We have there a commodious central building, and we have just completed a creamery. I hope to know of my own knowledge within the next few days that the creamery is carried on satisfactorily. I have not been on a visit to the farm since the creamery was established. We have a good sale for our butter, and our prospects for stock raising are excellent. At the head of this farm there is a very competent man thoroughly capable of instructing the boys in the duties.

Q Do you generally obtain places for the boys within the year? A. Yes. Within the year if we desire to do so. But supposing we find a lad's record is bad we don't place him.

Q How many boys have you out there now? A. I think the number in the home is about a hundred.

Q. How many have you in Toronto? A. Very few; probably not more than five or six.

Q. And in Peterboro? A. About twenty.

Q. State in a general way the result of your system? A. I think the result has been eminently favorable. I think I ought to add on the subject of the great care that we take, that take what care we will cases will occur in which boys and girls will exhibit a tendency to resume their old habits at times. But I think we get as few of these as we could well expect. I have not pledged myself officially, but we have practically committed ourselves to return to England at our own cost any boy or girl who becomes so immoral or vicious or criminal as to be a charge upon the taxes of the Dominion, and we have returned a certain number of boys and girls who have proved themselves unworthy of our confidence.

Q. Do you reject boys who have been apprehended for criminal offences in England? A. For Canada, yes, but at home no, not necessarily. Our institution is not for criminal children, but if a lad who is destitute and has committed a criminal offence were to come to me I would give him a chance; that is, if a case came to our door. We would not, however, place him with innocent children. I may say that this refers to lads who are criminals. As regards girls we never have had any criminals. I have never admitted to our homes any girl who has fallen. We have admitted to our small rescue home children who have been subject to the criminal attacks of others, but we do not send those over here.

Q. Do you say that you have in no case sent a criminal to Canada? A. Never to my knowledge. It is only right to say that three or four lads who came here had it transpired, yielded to a criminal act before they were received into the institution, and the fact, although beyond doubt, did not come under our notice. Only three or four of these came out, and I think two of them were returned to England and two others met their deserts here.

Q What means do you adopt to find out this? A. Close enquiry and observation. We have twelve beadles who have been policemen and who follow up the whole record of each case back to the birth of the child. This applies as far as possible to all those received into our institutions. They are instructed to devote special attention to finding out if the boys had been in custody for any offence—had been in the workhouse, or any other institution—the time that they had been in the workhouse, and the period in custody if a lad should have fallen into criminal life. Out of my total number of boys and girls who have come from the workhouses, the number I have sent out here has been less than fifty. I refused to take workhouse children unless under the conditions of residence of six months, so that I can thoroughly test each boy, and so that the link between him and the workhouse may be broken.

Q. Where were these four thousand children sent to Canada chiefly drawn from? A. From all parts of Great Britain.

Q. Were they largely the children of drunken parents? A. No I would not like to say so. I think they were largely the children of widows or parents who had fallen into misfortune; some of them might have been illegitimate, whose parents had deserted them. I do not think they were to any extent the children of drunken parents, but I think somewhere or other in their career, some of their relatives have been under the influence of drunken habits. I once made out the exact number of those under my

care whose destitution might be said to have been caused directly or indirectly through drunken habits. I think that of all the children I have taken up probably eighty-five per cent. would never have reached a state of destitution but for the drunken habits of some of their relatives. But you see this may not necessarily have been the parents; a drunken brother may ruin a family, and although the whole of that family might owe their ruin to him, that would not taint them hereditarily. As to hereditary taint, I have a very strong feeling. I think the tendency to crime and vice is derived and strengthened as the result of heredity. Where the parents are drunkards or the grandparents are drunkards there would a strong tendency for alcoholism to repeat itself.

Q. Now as regards crime. Take children whose parents are thieves of the lowest order. Would these children in your opinion become thieves and criminals as a result of environment or hereditary taint? A. Probably it would be due to both. The taint derived from heredity is no doubt a potent factor, and if in addition to that the environment of the child in early life is bad, the tendency will become greatly increased in power and strength—will, in fact, become the second nature of the child; but I desire to say, first, that whatever may be hereditary taint the effect of the child being brought up in evil associations would be very great indeed. I am satisfied that those bad associations would influence it to a very large extent I have known a little girl to be practically a little harlot, thoroughly vicious at five years of age. She was an English child, her mother had been a prostitute, and she had deliberately degraded her child from the age of two years. That is quite an exceptional case; but this degradation, if it is begun at a very early age, greatly increases the difficulty in reclaiming a child, and the hope of liberating it from vice will be very much diminished.

Q. Now, take an extreme case, because this is very important and very interesting as coming from you. We will say that a child born of parents of whom one is a drunkard and the other a criminal, has lived in an environment of evil—in all sorts of dishonesty, viciousness and moral degradation—until the age of three years, and that it has then been removed from that environment, brought to Canada and put into one of your Homes for a few years, and afterwards drafted into the family of a farmer; I would like to know your views of hereditary transmission and taint in such a case as that? A. I would feel that the child would have ninety chances against ten that it would do well; in other words, I feel that environment is much stonger than hereditary taint, but if the two united together it would be a miracle to suppose that the child would grow up without a tendency to evil. If you take the children early enough away from such people and put them into sweet, new surroundings and place them under higher influences, there is no reason why they should not be reclaimed and lead useful lives. Take a good child and put it under criminal influence. The child is taken away from all the care that it has had at the age of nine or ten into a company of criminals—immoral people—where the influences are bad; such a child will become a criminal. Take a child who is a criminal, say it is born a criminal and give it a good liberal industrial training, and the hereditary taint will be neutralized by the influences that are subsequently at work upon it, but you must begin early enough. If you wait too long the chances are less; still the child's nature is plastic, and susceptible to influences of such a sort and I would not like to say it is hopeless even under such bad influences as you have mentioned surrounding the child from its birth; but if you leave the child until it is ten years of age, I fear that you will have discounted greatly the chances of doing it good.

Q. Your great object then would be to remove the child from the environment at an early age? A. Yes, at the earliest age I could and keep it sufficiently long. We would keep such a child five times as long as the child of people who have not set bad examples before it in its early life.

Q. Of the 2,905 you sent to Canada since 1882, how many have been convicted in the courts here? A. No girls have ever been convicted. Ten boys have, and of those ten boys three have been returned. Ten is the actual number, that would be .34 per cent.

Q. What means do you take to obtain this information? A. I have shewn you how our records are kept. These records follow the child all through, until the term of our jurisdiction over the child has expired.

Mr. Jury.

Q. Supposing a boy deserts from a farm do you follow this boy and trace out where he has gone invariably? A. In most cases we do, and if it is a girl we follow her invariably. We won't allow her to pass away. We have no legal power to place that boy back again, but we have great moral power. The boys generally recognize that we are their friends. We only use our influence for their welfare.

Q. What percentage of the boys desert from employers? A. I could not tell you right off. I should say a very small number indeed. Very few of our boys desert from their places of employment, but with some who have done so we have renewed our associations, and they have been doing well for a number of years. Sometimes they have been reproached for being connected with the institution, and for this reason they have thrown it off. I could mention the case of a boy having done so, who had been behaving perfectly well and who lives within two miles of the place where he had been put into service

Q. Do you find that the name of the institution has become a reproach? A. Whether it is or not a boy may be made to feel it so by the taunts of others. Some employer or his wife might use such language or if they did not themselves they would not know what others might do. They might say, "You have been picked up in the streets." The boy feels this and if he is quick tempered he will clear out. I have known such cases. I will give an instance of a girl who is doing very well indeed: she had committed some little fault and her mistress was in a hot temper and called her by name and said, "You have been picked up from a dung heap." If the child had known a little bit more she would have give this mistress a cheeky answer. I should say that we have the means of keeping our boys together under a method which very largely prevents the possibility of desertion—that is, I have a scheme of prizes, a graduates' system, by which boys and girls are encouraged to do well, and they regard this plan with very great interest. Our prizes begin with a book and then we give a bronze medal. In a case of special heroism we give a boy a silver watch who has retained his situation either four or four and a half years, and girls who have retained their situations for that period receive a silver medal. This keeps the young people in touch with us. The loss of the medal or the watch is considered a great thing I have here a list roughly drawn up of 700 who are to get these prizes. The prizes are for good conduct and length of service combined, and are only given upon the certificates of the employer or of the minister or school superintendent of the place where the boy lives. The employer's certificate reads:

"Doctor Barnardo's Home. Employer's certificate recommending.....to receive Dr. Barnardo's prize good conduct and length of service. I hereby certify that .... has been in my employ for....years and....months, during which time he has conducted himself to my satisfaction and in a manner creditable to the Home, and I therefore recommend him as deserving of one of Dr. Barnardo's prizes for good conduct and length of service. Signature.....Postal address ..... Date....."

The certificate which should be signed by a minister, magistrate or Sunday school superintendent, reads:

"Doctor Barnardo's Home. Certificate recommending .....to receive Dr. Barnardo's prize for good conduct and length of service I hereby certify that I am acquainted with the above mentioned..... and that to the best of my belief and knowledge his conduct since he has lived in this neighborhood has been in every respect satisfactory and creditable to the Home, and I therefore recommend him as being deserving of one of Dr. Barnardo's prizes for good conduct and length of service. Signature.... .....Postal address....."

The Chairman.

Q. I should like to ask you if the other organizations exercise the same great care that you have exercised in bringing these children out? A. I would not like to say definitely, but we know of some whose names I will give you, who employ the same care and use the same precautions that I do in the selection of children, and the methods of bringing them out here. Take Mr. Quarrie, of Scotland, Miss Macpherson, of London, Mr. Fegan, of London, and Dr. Stephenson, of London. I am able to say these four agencies are as careful and scrupulous in not sending unsuitable children either physically or morally, as I am Miss Macpherson has been longer engaged in this work than I have been. She has been a quarter of a century in it, but she has sent very few. Mr. Quarrie sends out, I think, about one-half as many as I have been doing. He has been engaged in the work for twenty years, but I do not think he has been emigrating so long as this. Altogether probably twelve or thirteen thousand boys have been sent out to Canada. I cannot speak as to girls. You asked me what the results of my efforts have been, and I am anxious to place before the commission the results. Take the number 2,905 sent out since 1882, only ten have been convicted, .34 per cent. and as to girls, 810 have been placed since 1882, and of those 810 to our knowledge sixteen have become immoral, and we know where every girl is. There is not one of those girls who have slipped from our control that we do not know about. Of these sixteen one died, nine were returned to England, that left six; two went to the United States, that brings the number down to four, two of them are so far restored that although they became immoral there are hopes of their doing well yet. The other two are doubtful, and these are beyond our control. They have reached the age of womanhood and have defied us. A very large number of our girls are married. One of the very pleasantest tasks I have is to give them these watches, where they have occupied a situation for four years, and I may say that in this city I am ordering 110 silver watches for distribution amongst them, and several are for girls about to get married.

Mr. Jury.

Q. Is it considered a case of special heroism to marry? A. Well it is for the boys.

The Chairman.

Q. How many are married? A. I could not tell you right off

Q. Where do the boys generally find homes? A. Nearly all the boys we have sent out are placed in Ontario.

Hon. Mr. Anglin.

Q. You spoke of having the doors of your institution wide open for the reception of boys and girls who seek admission. That would suggest that you do not search for these persons. Do you wait for them to come to you, or to be brought by parents or guardians, or others? A. We seek a large number. We seek them by agents who are constantly at work amongst this class, who know where the destitute children are to be found. There is a section of the metropolis where there are lodging houses for example — where the homeless poor live—and in these lodging houses a floating population is always found. Amongst these we get a large number of children who are simply destitute poor.

Q. Your agents find them out Have you experienced any difficulties or objections on the part of fathers or mothers or guardians to your taking charge of these children? A. Occasionally we have, but not often.

Q. How do you overcome these objections? A. Each case has its own history. In the case of a woman of immoral character we would bring legal pressure to bear. The same would apply where a man was a criminal. Supposing there was nothing criminal we could still bring others influences to bear.

Q. Would you resort to the courts? A. You were speaking of the law of last year; that gives more distinct authority for us to interfere, but we have always had nominal

powers under the Act of 1870; but this Criminal Law Amendment, the result of the agitation of Mr. Stead, of the *Pall Mall Gazette*, that gave us great power.

Mr. JURY.

Q. Have you had cases in the London police courts where people have sought the restitution of the children and some of the children have been sent abroad? A. No.

Q. What is the average age of the children in your institutions? A. I could hardly give you an average. We take babies and immense fellows, sixteen to eighteen years old: people living in an adventurous and precarious way; we take them for a period to this labor house and train them there; and if the boy sound, decent, honest and industrious, we send him here to our farm in the Northwest.

Q. You said just now in one part of you statement that you made a rigid examination before admitting the boys to your homes. I understand again that you admit any boys that come? A. We have a probation house in which we receive all from the street and from the lodging house. We keep them there until we learn their story. Sometimes a boy will stay a week there and we find he has told us a pack of lies. We get to know that his whole statement is a tissue of falsehood from beginning to end and we do not allow him to go into the home; in fact, we do not allow any to go in there without an examination.

Q. Supposing you find out that a boy is unfit for bringing up in your homes, what do you do with him then? A. We find some institution to which we can entrust him. The Board of Poor Law Guardians perhaps.

Q. You say that you have a greater demand in England for these boys than you can supply? A. Yes.

Q. What need is there to bring them to Canada then? A. That is very easily answered. The immediate future for the boys in Canada is so much better than they can hope for in England. The struggle for existence is very much keener there. Every boy who is put into employment puts a man out, and it may be with the result that he may get employment for a time, and he in turn may perhaps be thrown out and his place taken by some one younger and less expensive than himself. He goes back to the place from whence I took him; his chances of doing well are so much better here, in fact, I may say that the labor market is so much less congested here; in certain districts the population is sparse and I do not know a lad who is honest, industrious and moral but who can earn his own bread.

Q. Do you make enquiry whether he has displaced a man with a family or not? A. No, I do not know that it is necessary to do so.

Q. If it is a consideration in England, why is it not a consideration here? A. We know that the labor market here is not so congested as in England.

Q. Do you imagine that there is a great demand for all kinds of labor here? A. I know from my own experience that there is a great demand for many kinds.

Q. Where do you get the information? A. From the applications for these boys; all my boys go to the agricultural districts, I do not keep them in the cities.

Q. Did you ever examine the report from the Bureau of Industries in Ontario? A. Occasionally.

Q. Does this bear out your statement? A. Well, of course my business is with the country districts. As I have already said I do not care for keeping boys in the cities. Our boys do not come here to compete with your best mechanics. We send them to work on the farms in the country districts.

Q. If you examine the reports in the Bureau of Industries you will find that even among the farmers, Mr. Blue states, there is no scarcity of help? A. That is probably because we have supplied them, but if we had not supplied them they would have wanted them through some such agency.

Q. Do you know that they will not pay men a reasonable rate to live upon and that they take your boy in preference? A. I have no knowledge of this condition of things, but I imagine that if you want them to pay for labor at a rate which would support a man and his family, instead of the country being opened up and populated, the ground would be all actually abandoned, and the people here would be compelled to do as they have done in immense numbers in Manitoba. I have visited the Northwest twice and I have found immense numbers of farms abandoned; again and again I have learned from conversation with the farmers that they have been abandoned for want of labor.

Q. Do you receive any aid from the Dominion Government for boys you bring out here? A. No, nothing except a $2 bonus. At one time there was a railway ticket supplied.

Q You don't get any assistance coming up from Quebec, any contribution towards your expenses? A. Not now, but we did at one time.

Q. Out of the 16,500 boys that you have handled you pick the very best 3,000, and send them to Canada, what do you do with the portion of them left? A. We keep them very much longer perhaps and then they are placed out. Numbers of them go to sea, numbers go abroad in various ways, and some go to domestic service—most of the girls, and many of the boys get complete training as mechanics and go out and work at their mechanical trades.

Q. You select the best to come out here, and those that remain you distribute amongst the British people, and do you think that they know this? A. These facts are known to the British people that we cull the best of them and send them out to this country. Again and again I have stated at public meetings that the flower of our flock is sent out here, and I have brought upon myself much odium by protesting strongly against boys or girls being sent out to Canada who would bring discredit on the system of emigration.

Q. This question was discussed in the Dominion House of Commons in the session of 1888, and it was stated by doctors who are members of Parliament, in committee in the House of Commons, that the number of children sent out by your societies were debilitated physically, many of them having syphilitic disease? A. I was not aware of it, and I may say that it proves that even members of Parliament are not more infallible than ordinary members of the public. I challenge any member of the medical profession to prove—I do not care who he is—that any greater proportion of my children succumb to disease than of ordinary school children. I will say more, I will say that if any such medical man will go into the statistics he will say that Dr. Barnardo, wherever he has met boys or girls who have been the subject of chronic disease, where he could send them back has done so.

Q. Have you sent many back? A. I sent one because of insanity, and one child who developed phthisis. I do not know a single case where chronic disease has manifested itself here, and as to syphilitic disease being transmitted by our children I must say it is not true.

Q. There is a case here respecting one of your boys, it is an extract from the Brantford *Expositor*. "John Elliott, one of Dr. Barnardo's exportations from the London slums, has been locked up in gaol here for a month at the request of Senator Sanford, who communicated with the lad's relatives in England with a view to his return, but no word has arrived and Elliott was turned out of gaol to-day to wander about as a helpless vagrant. The gaol authorities are not sorry to part with him for he was becoming very troublesome and destructive; every small article he could get hold of, such as

towels, etc., he would thrust in the stove or otherwise destroy. Our experience in Brantford with Barnardo's boys is anything but satisfactory." What do you say to that? A. Simply that enquiry was made and we found that no such boy was sent out by us at all, and the Senator wrote a letter of apology afterwards, in which he admitted that this boy came from another source. That letter was published. If you make enquiries you will find that an apology was made as I state, and no such boy was ever sent out by us.

Q. I suppose if the boy was not one of yours he belonged to some similar institution? A. If he was they do not exercise the precautions that I do. If I have to bear other people's sins as well as my own my weight will be heavy enough.

The CHAIRMAN.

Q. Do you find that many of your boys after a time become owners of farms? A. There are a considerable number that have saved money and have acquired property, and some own their own farms, etc., but I am not in a position to tell the Commission to-day what number have done so. I have no doubt that every year from this date the number will increase, because it takes eight or ten years to save enough to do this.

Mr. JURY.

Q. What number of the boys you have sent out since 1882 could you place your hands upon now? A. Six-sevenths. Some of the boys I cannot place my hands upon have gone into the United States. I have received letters from boys in the States who are doing exceedingly well.

The CHAIRMAN.

Q. You say that you have had 900 applications this year from Toronto? A. Nine hundred and forty-nine. All from farmers.

Q. None from shopkeepers? A. A very small number indeed.

Q. Do you think from your large experience in connection with these boys that we could absorb a good many of our own boys in the same way were we to adopt a system somewhat similar to yours? A. I may tell you I have been asked the question. Why don't the farmers want Toronto boys, but the trouble is the Toronto boy is too sharp; that he wants to make his dollars too quickly, and he is anxious always to get back to the city. The English boy stays longer. The Toronto boy is eager to make his pile as he calls it, and I think you will have some difficulty in placing your boys as advantageously as I am able to place mine.

Mr. JURY.

Q. They like your boys because they are cheap? A. When you place your boys out I won't say I will bet, because that is an Americanism, but I will warrant you will have to place them out cheaper than I place mine.

The CHAIRMAN.

Q. How does the English Act of last year affect juveniles? A. It has a beneficial effect so large and far reaching that the only wonder is that we have had to wait until 1889 for it. No person having custody of a child can expose the child or suffer it to be in the streets under a certain age after a certain hour of the night. No child can be allowed to sing or beg for support. If it is found doing so its parents can be sought out and punished. The parent can be brought before the magistrate and committed for it. There are a number of persons who do not feed children properly, and in this and other matters the law now interferes and punishes them. We have never had a measure so drastic, so sweeping and so comprehensive; and then if this kind of conduct is persisted in, we can take away the child from the parent It can be taken away and kept until it is four-

teen, but it is transferred to another person, who is the guardian. It may be the board of guardians, it may be a private individual like myself, or it may be a certified institution; but it must be a person who satisfies the court that he or she is a proper person to have care of the child. During the whole period of detention, the parents or guardians may at any time demand that the child shall be brought up.

Q. What in your opinion is the chief cause of viciousness and criminality amongst children? A. If you ask me as regards Canadian children, I will say that I think it arises from too great liberty and freedom all through life; a freedom which you can hardly conceive of unless you have had experience of England. Then on the other hand, the conditions of life bring about a great lack of control which is extremely demoralizing. There are habits in every family that tend to produce immorality amongst the girls; perhaps there is nothing more frequent in the country than for a wife to go on a holiday of a week; she will leave a girl without a woman in the house, with only the hired man, the master, or a boy; and the result is only what may be expected. I think this takes place in immense numbers of cases. We make it a condition in our agreement as regards girls, that the mistress shall never leave the child in the house alone; another thing, where girls are employed, and where they have to milk cows at a distance from the house. The girl has an opportunity of coming into contact with the hired man, who takes the opportunity to cultivate the girl's acquaintance. The girl is foolish enough to accept his advances and keeps the matter to herself, and thus there is danger of improper intimacy arising. This has occurred in a few cases that have come under our notice. The cases would have been increased if we had not had communication and removed the girl at once where the mistress was careless of her control. I have been impressed with the fact that a great amount of immorality comes out of otherwise respectable homes. I have known cases where a girl has slept in a little room by herself, and the hired man in the next; they are practically in this part of the house alone; there is always danger of this tending to immorality.

Q. Then what do you think is the chief cause of crime with boys? A. In some cases I do not think the boys are treated fairly by their employers. Some men desire to make the most of them; even to take advantage of them, and they manifest a reluctance or unwillingness to part with the money that is due to them. "My master owes me so much" is a frequent complaint and they won't pay in some instances. Boys are dissatisfied, they commit a theft, they drift into crime and get to the penitentiary. It would be difficult for me to say what all the causes are—want of control, and so on; but I am talking now chiefly of the state of things as they exist in the country; however, of the other causes which grow out of city life I am not aware. No doubt the facilities for drinking and drinking habits, lead to all sorts of vice and crime, but I have not had the personal knowledge of your criminal classes, which alone would justify me in speaking of them.

Q. Can you speak of what would be a proper system for the care of children who are entering on a downward career, or are in danger of becoming criminals. A. I think if it were made impossible for a boy or girl under school age to earn money by hanging about the streets, you would put a certain amount of evil out of the power of the parents; for example, in the cases of any children known to the police to be on the streets for the purpose of earning money by selling papers or selling cigars, the parents should be traced out and punished by fine, and then there are others who have no parental control. Undoubtedly children should be removed from the streets. The streets are their peril, because there they have to associate with those proficient in crime. It would be well to remove these children from the streets and place them in an institution; or better still, to board them out. I believe that you will adopt the policy of boarding out a large number of boys and girls who are waifs on the streets with this experience, that you will find you will have to pay for your children, that I get hundreds of dollars for; in other words, I am actually getting payment for a class of children I should have to pay for in England. Industrial schools are admirable things in large cities, but in an agricultural

country like ours, it seems to me that you would be almost criminal if you did not place these homeless children on farms instead of keeping them in a house on the barracks system, learning trades in which there are difficulties to be met at every stage. The moment that you begin the manual labor in these establishments you will be in competition with other manufacturers Place them on the farms I say; place them in other surroundings where they are away from the temptation of city life; it costs you but a minimum and you get much higher and better results.

Q. Would you not have industrial schools for a certain class? A. Yes, there are some that farm life would be unsuitable for those who have physical defects, those who are puny and frail.

Q I understand that the boarding out system is what you would recommend? A. That is the system. You will be in competition with me, but I shall be delighted to welcome you into the field as a competitor, and when there is no room here for the English boy or girl—when you close up Canada—I will send my boys and girls to Australia. I am anxious before leaving to make one or two observations with reference to some statements that have appeared regarding my system in some of the papers. There was a statement I read by Mrs. Rigby to the effect that the efforts of institutions like mine in England had proved comparatively futile as regards the classes with which we attempt to deal. I should just like to give one or two facts. Twenty years ago in England and Wales, there were 10,000 under sixteen in the prisons. Ten years ago this had decreased to 7,173; in 1885 it had dropped down to 4,792. In 1889 it had fallen to under 2,000; that is in England and Wales. I will mention a further fact: In London there were in 1878, 927 children in the gaols under twelve years of age; in 1885 there were 250; to day there is not one These changes have resulted and this has been stated in the House of Commons and the House of Lords to be due chiefly to the action of institutions like our own. I venture to put these facts which cannot be disputed against the allegations that have been made in regard to our system by persons who know little or nothing of its working.

Mr. Jury.

Q. Has your general criminal population in England decreased? A Oh, yes, it has greatly decreased.

Q. And the pauper population too? A. Oh, yes.

Q. So that the decrease may not be so much due to the action of your institution, as to the higher state of civilization that is existing there? A Well our institutions are the result of that and we say that the reason that we have not the number of young criminals is that instead of sending boys and girls to prison, we have by the establishment of industrial schools, reformatories, and voluntary institutions, made it impossible for them to grow up criminals.

Q. Since 1840, has not the gradual decrease been going on? A The decrease has steadily been going on in proportion to the work that has been done, beginning with the opening of the reformatories and industrial schools. There is just one other statement I desire to correct. I am told that in the public press of this city last Saturday, there was a report that it had been stated before this Commission that I and others had brought over a number of immoral women, or criminal persons, and had left them here. I desire to give that an emphatic denial.

The Chairman.

Q. There has been no such evidence given before this Commission and I have seen no such statement? A. Then I may regard it as without foundation.

The following letter of explanation Dr. Barnardo sent to the chairman of the Prison Commission with a request that it might be appended to the report of his evidence given before the Commission on August 4th.

DR. BARNARDO'S HOME,
214 Farley Ave., Toronto, 4th August, 1890.

To J. W. Langmuir, Esq

DEAR SIR:—In thinking over the substance of my evidence given before your Commission this day, it occurs to me that on one important subject I have made an erroneous statement which I desire to correct; and on another subject my statement was, I fear, so hurried and confused as to lead to a misconception of my meaning. I crave your permission to correct the error and to make the latter statement sufficiently clear and full.

First as to the error, I stated in answer I think to a question of yours, that the boys we had placed out in farms were visited from two to four times a year. That I understand is not correct. All boys are visited once a year and some of them oftener. That is to say, wherever a case occurs, which appears to our managers at Toronto to require more frequent visitation, the visits would be oftener than once a year; but at present unless something of a special nature arose to demand greater frequency, only one visit would be paid to each boy. But as regards the girls, the visits are much more frequent and with these it would be safe to aver that the visits are from two to four annually, probably averaging three, except in those older cases, where the girls were beginning to be looked upon as settled and as not requiring such close and constant supervision.

The statement which I think I gave you in a confused fashion was to the effect that after the boys had landed at Quebec they were discharged at stations en route between Montreal and Toronto. This would convey an appearance of lack of care, which is just the reverse of what happens. The correct *modus operandi* is as follows:—

Prior to the landing of any party, applications are received from farmers for the services of the boys. These applications having been thoroughly sifted, a certain number of them are approved of, and a list of these are forwarded to Rimouski in the summer, or to Halifax in the winter, to meet our manager Mr. Owen on his arrival there in command of his party. Before reaching Quebec or Portland, as the case may be, Mr. Owen has had time to carefully examine this list of approved applicants, and to allot the boys under his care to each, according to their several capacities, with which he is familiar. Having done this it enables him to ticket each boy through to his destination and check his baggage, and in event of that destination being east of Toronto it is not needful to carry the boy so far as Toronto: but by appointment with the respective farmers the boys are met at several stations en route and are transferred by Mr. Owen to the care of their future employers. Boys who are to settle west of Toronto are brought on by Mr. Owen to that city, and are subsequently distributed.

I find that in accordance with your wish I am to inform your Commission of the exact number of boys sent by us direct to Manitoba since 1882. These I find were in all 275 The remainder 1,820 were either sent direct to Toronto, or distributed east of that city in the Province of Ontario, making a total of 2,095 boys since 1882; the remainder of our total numbers being girls.

I trust you will allow the above correction to find a place on the minutes of my evidence.

I am, dear sir,
Very faithfully yours,

T. J. BARNARDO.

PENETANGUISHENE REFORMATORY, 9th August, 1890

Present:—J. W. Langmuir, Esq., Chairman; Hon. Chas. Drury; Hon. T. W. Anglin; Dr. Rosebrugh, A. F. Jury, Esq.

THOS. MCCROSSON, Superintendent of the Ontario Reformatory for Boys, called and sworn.

The CHAIRMAN.

Q. When were you appointed to the position of superintendent of the reformatory? A. In July, 1879, and installed on August 23rd of the same year.

Q. Of whom is your staff comprised? A. First, there is the deputy superintendent: then the bursar, the surgeon, two chaplains—Catholic and Protestant respectively—one is continuously engaged as chaplain, that is, the Catholic. For the Protestants we have at present three chaplains who conduct the services in turns. Up to February in this year we had two chaplains, one Protestant and one Catholic, but since—in the absence of a regular Protestant chaplain—the ministers of the three Protestant denominations officiate in turns. Then we have three school teachers, two Protestant and one Catholic, the steward, the storekeeper, the carpenter, the engineer, baker, shoemaker, tailor, farmer, and gardener; we have four guards, one teamster, one has charge of the works outside, one has charge of the play-room, we have also got a stable-keeper and a gate-keeper. We have a chief night attendant, and four night guards.

Q. Are the master carpenter and the master tailor employed exclusively in the shops for the instruction of the boys or do they also act as guards? A. They are guards as well as instructors, but only over their own boys except in special circumstances. If for instance, boys made an escape or an attempt to escape, then we would take the master tailor from his shop and put him in charge of the whole of the boys if necessary; but the main duties of these officials are to act as instructors.

Q. The cost of your institution is how much? A. $199.60 per head, for 1888, the total cost for 1889 was $45,330.99.

Q. What is the average number of boys you have in charge? A. Two hundred and eleven.

Q. What is the number of inmates in the institution to-day? A. Two hundred and eight.

Q. How many boys were committed to the institution last year? A. Eighty five.

Q. Will you tell us what these boys were committed for? A. One was committed for assault with intent to commit rape, two for assault and robbery, one for arson, one for burglary and larceny, two for burglary, one for fraudulent appropriation, one for housebreaking, two for housebreaking and larceny, three for horse stealing, seven as incorrigible, two for indecent assault, forty-nine for larceny, one for larceny of a registered letter, two for shop breaking, two for shop-breaking and larceny, and eight for vagrancy.

Mr. JURY.

Q. What is incorrigible? A. That means boys who are not subject to parental control and whose family cannot keep them in order—boys who will not go to school, who will be unruly, disobedient, and whose friends desire to get them sent to a reformatory.

The CHAIRMAN.

Q. That is under the Act of the Province? A. Yes, the Act of 1880.

Q. What was the average age of those 85 boys? A. They commenced at seven and went up to twenty-one.

Q. What was the average? A. One-half of them would be of the ages of 13, 14, and 15. Those figures would represent half of those who were committed.

Q. What was the number of boys committed annually during the three years, prior to 1889? A. The numbers were 60, 78, and 85 respectively. The crimes I have named would be a fair basis upon which to estimate the character of the offences for the other years. We have boys sometimes for throwing stones on the railway, or something of that kind, and other offences of a like nature.

Q. How many boys were committed last year under section 27 of chapter 24 of the Ontario Statutes for indefinite periods? A. 28, presuming that indefinite sentences represent convictions under the Ontario Statutes.

Q. Will you give us the nature of the offences for which the 28 boys were sentenced indefinitely? A. Indecent assault one, vagrancy one, larceny sixteen, shop-breaking and larceny one, malicious stabbing one, horse stealing one, receiving stolen money one, indecent assault one, burglary and larceny one.

Q. By what magistrates or judges were they sentenced? A. Police magistrates and judges throughout the Province with some few exceptions.

Q. How are the remaining boys sentenced? A. Under the Dominion Statutes, I presume, by their being sentenced definitely.

Q. What is your system of dealing with boys who are sentenced indefinitely in order to determine when they shall be discharged? A. We have no system of dealing with them different from any of the other inmates.

Q. How do you carry out the sentence of the court then? A. We don't attempt any distinction.

Q. Have you any good-conduct record book to determine whether a boy shall earn his discharge in a lesser period than the five years, the maximum term of his sentence? A. No.

Q. Why? A. For the reason that I would be making class legislation and drawing a distinction between the boys. If I have got a fifth of the boys sentenced on this principle I could not go to work and let them earn their discharge, because some magistrates applying the laws of the same country do not sentence others on this principle, and I would be guilty of a great injustice to the rest of the inmates of the institution were I to allow this principle to operate as regards a small minority.

Q. Then is section 27 of chapter 24 inoperative as far as the reformatory is concerned? A. It is, except in a limited sense under the apprenticing clause, or where the boys are apprenticed.

Q. Do you think that this invidious dealing that you speak of would have a bad effect if you carried the law out in its entirety? A. Of necessity it would.

Mr. JURY.

Q. Do you not think that the injustice of it would rest rather with the magistrate who committed the boy than with you? A. Certainly, but I have to deal with the boys while they are here and the magistrate has not. I would be in a constant turmoil if I were to perpetuate the injustice of the magistrate.

The CHAIRMAN.

Q. Does not the law lay down the mode of dealing with these boys? A. No. If the boys were all sentenced as they ought to be under the Ontario Statute, then I could draw up rules and regulations whereby grades could be established, subject to the Governor-in-Council approving of them; but until the time arrives when they are so sentenced it would be useless for me to attempt to do anything of the kind.

Q. But if carrying out the law as it now stands caused a public scandal or any excitement in the country, would not the fact of its being called attention to in this

way, have a beneficial effect on magistrates and judges and thus lead to the law being altered? A. So strongly was I of opinion that this should be done, that public attention should be called to this, that I made a strong presentment to the Ontario Government in my report of 1882. The Ontario Government is fully aware that I have not introduced the grading system for the reasons set forth in that report.

Q. Would there be any difficulty in having a book as provided for in section 31 of the Ontario statute in order to keep a record of good behaviour and industry? A. There would be no difficulty in having a book, but the record would be useless because no application could be made of it.

Q. Have you any boys who have earned remission of sentence under this Act? A. No. It has been entirely inoperative. I prepared grade books and opened one, but found that if I continued to open it I would be doing an injustice to the majority of the boys. My reasons for the course I adopted are set out in the report which I prepared for 1885.

Q. Do you think that the indeterminate sentence in respect to boys sent to this reformatory could not be carried out with some without being made general? A. It could not. Suppose I have got 200 boys, 160 sent here for fixed periods and 40 sent for indefinite periods, the crimes of those represented in the 40 being worse a great deal than the crimes committed by the 160; of course those were sentenced by different magistrates or judges, but the fact that this benefit was given by the judges to the worst boys would necessarily create a spirit of rebellion if the boys had any spirit. They would say at once that the country was doing them an injustice. I would not expect to curb or control boys chafing under such a one-sided system. I repeat, it would be an injustice to apply it.

Q. Are there any other reasons why you consider the indefinite sentence system inoperative as respects a limited number of boys? A. Yes; on account of the reference having still to be made to Ottawa to secure pardon. The pardon and reward should be given effect to at the time the boy's conduct justifies the action. At present, as I have pointed out, a great deal of time is wasted in the circumlocution required to get the pardon from Ottawa.

Q. Do you consider the anomalous position of matters between the Province and the Dominion subversive of the best interests of this institution? A. The principle is completely subversive of the application of the best reforming agencies.

Q. Do you think if the institution were entirely under the control of the Provincial Government the results would be different? A. Of necessity they would. I do not believe that there is such another anomaly existing where an institution in its vital principle is worked by one government, and the management and responsibility for its maintenance devolve upon another; and the absurdity of it is that at present such a state of things does not exist in Lower Canada. As I understand it the pardoning power is vested in the authorities within the Province as regards the Province of Quebec, in relation to the Quebec reformatory located at Montreal. Mr. Walter Smith, inspector of prisons and asylums for the Province of Quebec, in a paper read at the Convention of the National Prison Association in 1887, said: "With the exception of the infants at their mothers' breasts when they are arrested, no children are committed to prison with the adult criminals in the Province of Quebec. We have separate reformatory schools for boys and girls between the ages of 12 and 16 who become amenable to the laws, and industrial schools for children under 12 years. We attach a deal of importance to the proper treatment of our juvenile delinquents in the Province of Quebec. We believe that when boys and girls are convicted for their first offence against the law that is the proper time to apply to them the punishment and discipline of the reformatory, and that we are much more likely to succeed then than we should be if we delayed until they were more hardened in crime and convicted for graver offences. The criminal laws of the Dominion of Canada are made by the Federal Legislature; those which govern the reformatories

are of that class, but their administration has been left to the Provincial Legislature. There is, however, a special statute applicable to the Province of Quebec which differs in some particulars from the statutes enforced in other Provinces. That statute authorizes the judiciary to commit to a reformatory for any term not less than two, nor more than five years, after conviction, any person apparently under 16 years of age. The judiciary have no discretionary power, but even for first offences, however trifling, two years must be the lightest sentence. In my opinion the ends of justice would be better served, and boys more likely to be reformed, if shorter sentences for first offences were imposed. As the law now stands a youth of 17 years convicted of petty larceny would be likely to get 30 days in the common gaol for his first offence, but a youth of 16 years convicted of the same offence must get at least two years in the reformatory. The pardoning power is vested in the Lieutenant Governor in Council, and is very often exercised in favor of the boys who behave well. The directors are also authorized to apprentice or hire out as domestic servants boys or girls, and the time they serve is counted as part of their sentences, but they always remain subject to the supervision of the reformatory officials. . . . . Closely connected with the reformatory at Quebec is the Industrial School, which, however, is governed entirely by Provincial laws. There are four schools of this class, three of them being for Roman Catholic children, which are managed by the Sisters of Charity, who have a contract with the government for that purpose, and one for Protestant children, which is managed by a corporation known as the Ladies' Benevolent Society of Montreal, who have also contracted with the government. Any two justices of the peace may commit to these schools to be maintained at the public expense children under 12 years of age who are orphans without means of subsistence, also children whose parents are undergoing legal punishment in prison. The municipality may also cause to be committed children of parents who are habitual drunkards, or who suffer from continual sickness or extreme poverty, provided such municipality pay one-half their cost of maintenance. Parents and guardians may also cause to be committed children of bad and vicious habits whom they cannot control, but they must pay the cost of maintenance in full. These children all attend school, and the Sisters, who are the best nurses in the world, seem to thoroughly do their duty by them. It is the duty of the inspector to see that no children are kept in these schools at the public cost after they are twelve years old."

Q. Do you think that this institution can ever be made an effective reformatory under the present system? A. No, never; it is handicapped day by day. I would not say that the whole principle is wrong, but it is very imperfect and defective.

Q. State where the chief defectiveness of the system comes in. A. First, in perpetuating the definite sentence; secondly, in the pardoning power being withheld from the Province that maintains, controls and manages, and is responsible for the institution and its inmates.

Q. Are there any other defects that you can point out. Do you think, for instance, that some boys are sent here when too young. A. There is a good deal of unworthy sentimentality in connection with this question of age as regards juvenile crime. I have boys eight or nine years old who can give pointers in crime to some of the oldest boys that we have. I think if an institution were as it should be, under proper legislation, you cannot send boys in too young, so long as they are capable of offending the laws of the country and are held responsible to the laws of the country for the offence.

Q. Don't you think there is room for a great deal of contamination between boys of five and six and eight and nine, and youths of from fourteen to nineteen years of age? A. That is where I cannot agree with you. I have a number of lads who come in at fifteen or sixteen who are as free from crime, from the standard of criminality, as the average lad outside of respectable character and good conduct. They may have had the misfortune to commit an offence, but I have got some here who have no tendency towards crime, whilst I have other boys who were brought up in an atmosphere of crime. Take

for instance a boy I have here convicted for indecent assault. He never actually committed the indecent assault. He was caught by a younger brother of the girl he is alleged to have assaulted, and with whom he had been going home. When the girl was discovered by her brother with this youth, she claimed that he assaulted her and compelled her, but the boy in my opinion was never guilty of the crime at all. I have a boy sent here for manslaughter, who was innocent of manslaughter, but the judge thought it was best for him to be sent here, having regard to his surroundings, for the purpose of being educated and learning a trade. I think boys eight, nine, or ten years of age, picked up from the streets of Toronto—Lombard, Duchess and Dorset Streets—the majority of these boys will contaminate older boys. Of course I limit the age. I consider any boy under seven too young to send here.

Mr. Jury.

Q. You think then that a boy's antecedents and surroundings would be a better guide as regards his criminality than his age. A. Yes, and they would influence me more in deciding his case. Little boys that we have are many of them confirmed in their vicious courses, and are sent by the county here in order that they may be got rid of. Boys who have proper parents and proper homes are not sent here as a rule. Those boys are pitchforked upon the Province or upon the municipality, and they are got rid of by being sent here.

The Chairman.

Q. Don't you think that some of the boys ought to be placed in some other institution than this? A. Well, that is a matter of opinion. Some one might say they ought to be sent to an industrial school, but I stand by my own institution. I believe I have a better means of handling them and can do better for them.

Q. What means, if any, of classification have you for the boys in this establishment, or do you depend entirely upon the supervision you exercise? A. We have no means of classifying or sub dividing.

Q. Do you depend entirely upon personal supervision? A. Yes, close, personal supervision.

Q. Take the associated dormitories at night; how do you supervise them? A. We have the most perfect system of watchfulness that can well be instituted. We have four night guards with a chief night attendant. His duties are to visit the dormitories every hour, to see that the heat and ventilation are all right, that all the lights are maintained, and whilst upon this I may tell you that the dormitories are kept brightly lighted the whole night. He registers his visit by a book kept by the dormitory guard, and the dormitory guard registers in a book kept by him. He must then show that he has everything in perfect condition, and he must record himself every half hour at the extreme north east part of the building and the extreme south-west, which involves his going round the building, passing the dormitories on the way. If there are boys in the wing he must visit them every hour, and record his visit. If there are boys in the hospital he must visit them every hour as well, and likewise enter his visit in the book.

Q. How is the record checked by you to see that the night guard does his duty? A. The dormitory guard's duties are to patrol the dormitories and record themselves at four electric stations every seven and a half minutes—that is, the round of the four stations are performed during the seven and a half minutes—and I see the record in the morning.

Q. Do you prefer the associated dormitory to the single room? A. No, not under all circumstances. I think it would be better if we had a system by which each boy would have a room to himself, but where he would still be under personal supervision. I think it would be better for the sake of decency, because each boy could have a small place of his own, and this would encourage him to take a pride in it.

Q. Would this ensure the same order do you think? A. This would ensure the most perfect order in my opinion. In one institution in the States that I know of, a boy can open his room and go out of it and lock it again, but he cannot open any other boy's door.

Q. Would you extend this separate system to boys under ten years of age? A. I would. I would have it so that each boy should possess a little room if it was only separated from the others by a curtain.

Q. You would not have that close system of watch that you have now? A. No, because the boys would be in their cells or bedrooms, but still there would not be much difficulty in that respect.

Q. Have you ever discovered bad practices going on amongst the boys during the night? A. Yes, I detect them all the time.

Q. Don you think that these would be reduced under the associate system rather than increased? A. Yes, I consider that the associated system makes the greatest difficulty for anything of a criminal character to go on. It makes it far more difficult for criminal practices.

Q. There is tradition of filth in the institution. Have you got it properly cleansed? A. Yes; but some advanced ideas in regard to decency could be introduced.

Q. Now, in regard to the association of the boys in other parts of the institution, they associate freely in the shops don't they? A. No further than what you have seen to-day. They are allowed to talk reasonably. We do not establish the silent system, but they are supposed to be kept in their places and order is maintained. The places where perfect silence is compelled are the chapel, the dormitory, the school room, and the dining room.

Q. Do you think that it would be an improvement to have what is now known as the family system instead of the congregate system; to have cottages where there are say thirty boys under a man and his wife and these two people responsible for the conduct of the thirty boys? A. Certainly.

Mr. Jury.

Q Why do you think it would be better? A It keeps the family relation up and is more humanizing in the first place. If there is any truth in the idea of the benefits arising from classification or sub-division, they can be obtained there. One cottage could be established for boys whose ages range from seven to ten; another for those from ten to twelve, and so on. If there is any truth in it that can be carried out. I would not say there is any truth in it; but get a proper couple, a proper man and woman, to take the same place in the cottage as the head of a family does in his own household, a house father and house mother, there is a more close family interchange between them and the children than is possible under any other system. And next, there is a feeling of emulation springs up, one cottage wants to shew that it is more advanced than another. I am convinced that this is a proper plan upon which to conduct a reformatory.

Dr. Roserrugh.

Q. What number of boys would you allow the heads of each cottage to handle? A. Twenty, but I think thirty or forty could be handled.

The Chairman.

Q. If you adopted the cottage system, would you recommend a separate room for boys, or associated sleeping dormitories? A. I would recommend a separate room, but I admit that the cottage system has one drawback. We could not exercise the night surveillance, because if there are only the house father and the house mother they could not exercise the supervision that we have now under the system of night guards. As I

understand the husband sleeps in the porch where the dormitories are; and there are holes in the wall, or windows, through which he can look, but he might forget to keep a close watch, and his supervision would not be effective.

Q. Coming now to the industrial system here, will you tell the Commission what you do in that direction? A. We have endeavored to employ the boys as best we can, but not to their benefit as it should be. By the sub-division of schools we have been able to separate them, but the employment is more for maintaining better order and discipline. So far as the actual teaching of a particular trade goes, I cannot say that it is of much benefit to them: and when they go out it frequently follows that they have a very imperfect knowledge of any trade. We might give them some knowledge of tailoring that might enable them to get in somewhere as improvers. Our shoemaking is no trade at all. We make shoes for the inmates but the knowledge that the boys acquire in shoemaking is of no value outside.

Mr. Jury.

Q. I would like with respect to the tailoring work to ask this: don't you think if you had these boys doing plain felling and seaming properly as it is required to be done in the outside, the little merchant tailors in the country would be glad to take them as apprentices? A. Well, we do get a few placed in that way.

Q. Don't you think that if the place had a reputation for that kind of work it would be a good thing? A. That is a very good suggestion and I shall see that the master tailor acts upon it.

The Chairman.

Q. Then what other trades have you got? A. We have got mechanical engineering confined to the more simple class of work, blacksmithing, steam fitting, carpentering in a limited way, a little jobbing and putting up of rough stuff. Our land capable of cultivation being limited, we have kept this branch of industry down to our domestic wants, to the growing of potatoes, oats, hay and such like.

Q. Do you generally provide all the produce that you require? A. No, no.

Mr. Jury.

Q. Don't you think that an institution of this kind would be conducted much more successfully if it had good land? A. I do think so, much more successfully.

Q. Now, you admit that you are exceedingly defective in the industrial part of the work; what is the reason? A. For the reason that we have not employment for the boys at any art or trade, and we cannot introduce new industries without serious loss, and were we to introduce them we would run the risk of having the labor combinations taking exception to them, if we put our produce upon the market.

The Chairman.

Q. Are not the difficulties in regard to industries largely due to the position of the reformatory? A. Yes, but there is a stronger reason now. If we had got anything in the shape of a productive industry here that would keep the boys employed, and the produce had to go upon the market, it would be in contravention to the legislation passed in connection with prisons, and geographically we are so situated that were we to employ the boys at skilled labor, we could not put our produce upon the market except at a great cost.

Q. Can you give any technical instruction in industrial lines? A. We could if the Government fitted us up for it.

Q. Do you think that any lad can be really reformed in this or any other institution of the kind unless he is given the means of earning a livelihood? A. Not unless some industry is taught. But even if you had technological schools you might not be able to carry him far.

Mr. Jury.

Q. I know from what I have heard, where there are many country villages in which it is almost impossible to get shoes repaired: if you send boys out to these places who are taught cobbling, they would earn a good living? A. They might do so, but I have not gone into this question.

The Chairman.

Q. Don't you think the employment of boys as a means of reformation is a most important element in a reformatory? A. Certainly.

Q. What do you think would be the best industrial training for boys? A. I think for the boys that we have, some practical knowledge would be best, and then it might be a benefit to a boy to be taught to be industrious without giving him an absolute training in a special trade. The industrial training might be of great benefit without giving him a trade. We are not giving a complete trade, but we just give him enough to inculcate habits of industry.

Q. But if you are inculcating habits of industry without giving him a trade, are you doing fairly by the boy? A. Yes, if he has a good education.

Q. If you have not taught him how to use his hands, how is he to obtain his living, even supposing you have taught him the habit of being industrious? A. Well, I still think it would do him some good.

Q. Don't you think some kind of industrial training ought to be part of reformatory work? A. Yes; technological training and reproductive industry would be important agencies in the reformation in the young criminal.

Q. Do you think after an experience of eleven years, that this is a proper place to have a reformatory: can you have in a place like Penetanguishene the full advantages that you ought to have in an institution for the training of the young; and are you in touch with the public up here? A. No, we are away from all important centres.

Q. Do you think for such an institution as this that is an advantage or otherwise? A. It is a decided drawback. It would be far more advantageous to have such an institution within ten, fifteen, or twenty miles of a city. Away up a hundred miles in this northern country it is altogether out of the question for a revenue-producing institution: for general purposes the closer to the centre of population the better. We are here all the twelve months in the year without seeing any one who takes an interest in the inmates of the institution, and this has an injurious effect.

Q. Is it important in the management of a public institution of this kind, in which the public are generally interested, that they should have an opportunity of seeing how it is going on, how it is fulfilling its purpose. Does it not act as a stimulant upon effective management? A. Certainly, we are apt to drift into easy ways.

Mr. Jury.

Q. What effect does it have upon boys to have too much visiting; has it not a tendency to deaden the boys' sense of shame? A. When you discuss sentiment I may say that I would not be prepared to advocate that at all. It is a mere sentiment and it would be very difficult to say whether it would have this effect or not.

Hon. Mr. Anglin.

Q. Do you expect the boys under fifteen or fourteen years of age to work during the day? A. Yes. We have got from six to ten cleaning during the day, then we have got from sixteen to twenty in the cooking shop, laundry, and doing work of that kind; but my greatest trouble is not being able to employ boys from eight or nine years downwards; unless they are in school we cannot employ them and they are for the most part kept in the playroom with one of the masters looking after them.

Q. What proportion of the boys are committed for long periods; say for three years or more? A. Thirty-two were committed indefinitely out of eighty-five, four for seven years and thirteen for five.

The Chairman.

Q. Have you, under the Act of 1880 apprenticed many boys committed during the last year? A. Three or four. I don't suppose that we would average more than one per annum. The Act is almost a dead letter. I have no means of knowing who will take apprentices. I have no means of finding out anything at all about it; then again it is inoperative in this way. Once a boy is apprenticed I lose control over him, and if he misbehaves himself there is no means of bringing him back.

Q. What seems to be the trouble in not being able to find places for a great number; is it the geographical position of the reformatory? A. That certainly has a great deal to do with it.

Q. Do you think apprenticeship is a good way of placing boys? A. No doubt; if I were in the neighborhood of a great city where I could exercise some kind of supervision over them; but I would like to see them placed where my personal influence would not be lost upon them.

Q. Could you not place yourself in communication with the county councils with a view to having these boys engaged on farms? A. I do not think they would be a class of men who would be at all likely to take this matter up. If we once had the legislation I have no doubt boys could be apprenticed or homeless boys could be provided for. I proposed in one of my reports some means of carrying the principle out. In many of the States the system is complete. We are fifty years behind the times. They have their county agents, whose business it is to find out homes for the boys. I proposed instead of this that the Government should employ the license inspector in this way. License inspectors are generally respectable men whose business requires them to go over the country and enables them to acquire a knowledge of the circumstances of many people, and the requirements of particular districts. This work might very well be undertaken by them.

Q. If indefinite sentences were generally applied, would not the feature of apprenticing be much more largely carried out? A. I have no doubt it would.

Q. Is it not imperative that it should work hand in hand with the indefinite sentence? A. Most assuredly that is so. It would serve well in regard to homeless boys. With the majority of boys it would not be of much service; but it would be a good adjunct in the way of disposing of those whose homes are not of the proper character.

Q. Has that part of the Act under which boys can be sent out provisionally been applied at all? A. No.

Mr. Jury.

Q. What do you do in the way of putting boys out with farmers? A. The want of knowledge in regard to farmers who require boys is our chief difficulty in regard to this. I do not know what to do with the boys who have no home to go to. Men write to me and on the strength of this I draw up papers and then the arrangement falls through.

The Chairman.

Q. Can you exercise the powers of apprenticing without the consent of the Dominion Government? A. Not, I think, as matters are at present.

Hon. Mr. Anglin.

Q. Have you been able to follow the career of many of those who have been apprenticed out? A. In only one instance: that of a boy who was apprenticed in Hamilton four years ago.

The CHAIRMAN.

Q. I fear very much that if it were brought before the Dominion Government it would be the same with apprenticing as with pardoning? A. The Dominion Government have no knowledge of our operations. The anomaly is that they hold, or profess to hold, one of the vital elements of the constitution under their control; but my contention is that we could pardon if we wanted. They do not know whether we have got 100 or 600 boys here. The institution is in no way subject to their inspection. How are they to know in what way the institution is conducted.

Q. Will you give us the outline of your system of secular education? A. The aim is supposed to be to give our boys a fair education, particularly to bring them up with a fair knowledge of the three R's. These boys are one-half of each day in the hands of school teachers. I may state that the school teachers are obliged to be certificated. The schools are inspected twice a year by the district public inspector.

Q. Is your system much the same as that of the common school? A. The same course of instruction is pursued and we use the same books. We send every boy out able to read and write, except boys who may be prematurely discharged, or who, having been unjustly sent here, go out more quickly. The others can all read and write. It is one of the things that would guide me in behalf of a boy for his reprieve—his advancement in school. If he has not made an advance I would say "You have not made sufficient progress while you have been here; therefore my hands are tied."

Q. Will you give us a short statement of the method of religious instruction pursued at the reformatory? A. Hitherto there have been two chaplains, one Protestant and one Catholic. The chaplaincy of the Protestant boys from the beginning has been in the hands of the Church of England up to February of this year. In February the Protestant chaplain resigned. He was an Englishman, and since there has been no appointment; but we have been striving to get one. At last, the ministers of the Episcopal, Presbyterian and Methodist churches decided to take it in turns. Besides the Church of England chaplain, I ought to say that the Presbyterian and Methodist ministers had been in the habit of coming here and they got the boys of their own denomination for religious or doctrinal instruction, naming their own time and fixing an hour on certain days twice a week; but since February the system has been, the Church of England one Sunday, Presbyterian clergyman the next Sunday, and the Methodist minister the other Sunday.

Q. How has the mixed system worked? A. I am certain that it will not be nearly so satisfactory as having a resident clergyman with nothing else to do but to give religious and moral instruction to the boys. I fear that the system of taking the services by turns will not work well, for these ministers have congregations throughout the country requiring their services, and they are unable to attend to all the duties of the chaplain. Another thing, the duties necessitate their being here at an early hour in the morning for service in order to carry out the arrangement that existed before for instruction; and they are unable to come at two o'clock in the afternoon, and we now have no afternoon service at all. The Protestant boys are in the playground while the Catholic boys are under religious instruction. Our master tailor has been superintendent of a Sunday school but I could not tell him to do this work. It was understood, however, amongst the clergymen themselves that they were to put him over the school and he has undertaken it. The religious instruction formerly given on week days has failed to a certain extent. The Methodist minister has been able to come only once or twice during the sixteen or eighteen weeks that he has been taking the services on the alternate Sundays; so you will understand from what I have said that the boys are not so fully receiving the benefit of religious instruction as they ought to do. I wrote to the inspector on the matter and asked for a decision, and I pointed out that whatever decision was arrived at their instruction should not be less than it was formerly.

Q. When you had a resident Protestant clergymen, was he supposed to devote his whole time to the service? A. Yes, but of course we could not lay down strict lines.

Q. Does the Roman Catholic clergymen devote his whole time to his duties? A. He is supposed to devote his whole time to them.

Mr. JURY.

Q. How often do they come here? A. It depends upon their zeal; the regulations only require that there are to be certain fixed attendances. The Protestant clergyman that we had here, the Rev. Mr. Lloyd, attended to his duties and did all that was required under the regulations, but there is an undefined law which guides them largely in the matter. In addition to the Sunday services, there are morning and evening prayers every day.

Q. Do you find any difference in the boy's conduct since the system of religious instruction has been changed? A. I can hardly say that I have.

The CHAIRMAN.

Q. What are the regulations respecting the duties of the chaplain? A. The regulations provide that "The Protestant and Roman Catholic chaplains shall have the entire charge of the religious instruction and the religious training of the inmates registered respectively as Protestants and Roman Catholics, and in case either of such chaplains by reason of absence or any other cause is unable to perform the services or duties devolving upon him, he shall provide a temporary substitute to be approved of by the superintendent. They shall conduct religious services in the Protestant and Roman Catholic chapels respectively on every Sunday morning and Sunday school services on every Sunday afternoon; they shall have morning and evening prayers every day except Sunday, and they shall conduct a religious service or secular service on at least one evening in each week. They shall have access to the inmates of the hospital at all times, and to the other inmates at such reasonable times as the disciplinary affairs of the institution will admit of, and as may be agreed upon between them and the superintendent: or in event of disagreement as may be fixed by the Inspector. They shall at all such times administer to the inmates in their charge respectively, such instruction, advice, and consolation, as shall seem to them best calculated to promote their reformation and spiritual welfare, and shall impress upon them the duty and necessity of strict observance of the rules and regulations of the institution; and they shall report to the superintendent any case of disorder or misconduct on the part of any inmate or employe while religious or secular services are conducted; or while instruction, advice, or consolation is being administered. They shall have charge of the library of the institution, and of the distribution of the books to the inmates. They shall catalogue the same and enter in a book for the purpose, all issues and returns of the books, and they shall attend at certain hours to be named in the orders of the superintendent for the distribution and receiving back of books. They shall be entitled to residences within the reformatory grounds and to such salaries as shall be voted to them from time to time by the Legislature, but they shall not receive any other perquisite whatever."

Mr. JURY.

Q. You spoke of the doctrinal instruction; it would be hard to have doctrinal instruction where the boys belong to a dozen denominations? A. Every denomination is supposed to attend to this.

Dr. ROSEBRUGH.

Q. Do you know whether the chaplains, Roman Catholic or Protestant, try to follow the career of the boys after they leave the Institution? A. No. They are trammelled in the same way that we are.

Q. Do most of them promise that they will write when they leave? A. Yes, but there is a shyness in writing. The boys are not good correspondents, no matter what line they are in.

Q. There is no systematic plan? A. There is no plan at all.

Q. No attempt is made to get the boys a position? A. No. Mr. Lloyd had an idea when he came here of something of the kind, and established an organization for this purpose, but it is hard to maintain an organization when you have not got work for them. For instance, we might discharge eighty boys, and sixty might have homes to go to, and the remaining twenty might be in the western part of the country while the organization was at work in the eastern.

Q. We have an organization in Toronto, called "The Discharged Prisoners' Aid Society" but we have never had any communications from Penetanguishene asking us if we could do anything for the boys. Do you know why this is? A. Yes. I have communicated with the association I got in one or two cases letters, I think from the secretary saying that they found difficulty in placing the boys.

Q. It has occurred to us that you might have utilized our society a great deal more than you have done. Is this the case with regard to the Roman Catholic chaplain, I mean as relates to the question I asked a moment ago? A. Yes. He has no greater power than the other.

The CHAIRMAN.

Q. What are your means for amusement? A. In the summer time they have exercises in the yard in the shape of foot-ball, base-ball, lacrosse, shinny and other games. In the winter time we have no other amusements than we have now.

Q. Is there any physical training at all? A. We have drill every morning under instruction of guard Fitzpatrick, who has been a soldier.

Q. Are there many weak physiques amongst your boys? A. No, we have one boy physically weak and we have got five that are not strong, sturdy, healthy boys.

Q. Don't you think that a well-devised system of physical training would be good for the health and morals of the boys? A. I think we give them sufficient exercise in this respect, between work and play: physically they will compare with any boys in the Province. They get more amusement than ordinary farmer's boys a great deal There is nothing to complain of in regard to the opportunity for indulging in physical exercises. Every boy for instance, now gets three and a half hours or so in the play ground.

Q. In regard to discipline, do you aim at giving a good deal of liberty? A. As far as we can we aim at effective dicipline, having as much regard as possible to the fact that they will not be put on crutches so to speak when they go out.

Q. Do you allow any of them to go beyond the walls on parole? A. Not in squads or in numbers, but we do allow them to go out. I take them a trip to the Island, or if there is anything going on in the town hall I take them down. If there was a circus I would allow them to attend.

Q. Is this of frequent occurrence? A. No, because the chance does not occur often. I can trust the boys and I know they will not abuse the privileges that we grant them.

Q. Is this privilege not an element of consequence in the treatment of boys under you? A. Yes; in teaching the boys self-control and self-restraint, and in accustoming them to the exercise of these qualities I can trust implicitly to their sense of honor to conduct themselves properly. When I look back upon my first experiments in this way I am sometimes surprised. Some then said to me I was a fool, but I don't think they would say so now I was installed on the 23rd of August. On the Saturday of the following week I said to the boys "I am going to give you a march through the woods." The boys might have been a regiment under me and we could keep them for a whole day without the slightest trouble. The whole of the boys were there with I think only four or five guards. They went out and there was not a straggler when they came back and there were no depredations. Then I instituted a system of sending the boys to attend

church—six Catholic—six Presbyterian—and six Episcopal boys—and I told them this was the reward for good behaviour; and if every boy would enable me by his good conduct to send him in the same way I would do so. We did this nearly through a whole winter, and there was never a straggler nor anything evil resulting from the custom; but in the spring of the following year it had to be stopped. During the winter I allowed the boys also to go on the ice and skate and they returned promptly at the time fixed, and there never was any difficulty. I had, however, discharged some guards and they spread stories and caused them to be carried to the Government. They were prompted by malice, but the Government heard only that these boys had been allowed to disturb and plunder the whole place. The Government listened to these false reports, and they put me on the frying pan, and they made me nearly sick of the whole thing.

Hon. Mr. DRURY.

Q. Were they accompanied by guards when you sent them to church? A. No, they went merely by themselves.

The CHAIRMAN.

Q. Have you many boys re-committed here? A. We have four, I think, but we often have less.

Q. Do you take steps to ascertain whether there are many commitments to the gaols or to the penitentiary of those who leave you? A. No. A boy might leave me as John Smith and might be committed to the penitentiary as James McLaughlin. No, I give them up generally, and nowhere is any man capable of speaking positively as regards the success of the institution. The only means I have of knowing is, for example, when I go to Toronto. I hardly ever go there without meeting some of the boys, and I ask them about their position and prospects, and the results in Toronto are often consoling. Colonel Denison shewed me a schedule on one occasion setting forth the number of commitments for the last six or seven years; there were, I think, nine out of some fifty or sixty discharged, and some of them had been three or four years out of my hands before they were arrested. I think if a boy resists temptation for a year or two and gets into misfortune through ill-health or some other cause, and drifts into crime, it should not be set down to the want of effective treatment at the reformatory, because long before that time there are other influences at work upon him.

Q. At the penitentiary, when we were there, it was stated that the reformatory boys committed there were the very worst prisoners? A. I have no doubt; but they would be the worst because if they could not be reformed by me they must have been very bad boys indeed. We transfer certain boys to the penitentiary because we cannot reform them.

Q. If a boy of sixteen passes through this institution without being reformed, don't you think he is likely to become more hardened here than he was before? A. No, I think the influences around him are of a softening character. If he is a bad boy, bad from the beginning—innately vicious—and going from bad to worse, he should not be sent here at all.

Q. In cases of this kind, do you recommend that they should be placed somewhere else? A. Yes. But we have to state the grounds on which we discharge a boy, and in order to do this we have to watch a boy's conduct long enough to form a correct judgment on his actions. I must wait until he does harm before I remove him and by this time probably he has contaminated others.

Q. How many did you recommend for removal to the Central Prison last year A. Only one.

Q. How many to the penitentiary? A. Not any.

Q. You do this only with the very worst? A. Yes, it is the last resort.

Q. Don't you think you sometimes err in waiting too long? A. Well, I would rather err that way than the other way.

Q. Don't you think it is doing harm to the rest to have a very bad boy whom you have reason to suspect of innate viciousness, duplicity and cunning? A. I do not know that I could name more than one or two who have been innately vicious. I have found them turbulent on a few occasions, and have found it necessary to remove them when they were really bad, but I have yet to learn that there are very many boys who cannot be improved. Many times I have prepared papers for a boy's removal, and I have given the boy a chance and he has turned out one of the best boys we have had after this.

Q. Have you found a boy so bad that he will set deliberately to work to corrupt others? A. It is hard to find evidence of this. You can only have a suspicion of it, you cannot have actual evidence.

Mr. Jury.

Q. Have boys ever complained to you of other boys trying to corrupt them? A. No, I have never had any evidence of that.

Dr. Rosebrugh.

Q. Do you ever know of their plotting or anything of that kind? A. When they desire to communicate anything to each other it is hard to stop them.

Q. I suppose they are overheard using obscene language? A. Yes, and promptly reported and punished for it.

The Chairman.

Q. I suppose you have had upwards of a thousand boys under your supervision. What is your opinion as to hereditary defects being transmitted from a parent to a child? A. If I were prepared to ignore all influences for good I would say heredity would prevail, but I don't believe in heredity as being a positive thing that permeates the mental side of the constitution of a boy or girl. In my own experience in ordinary life, apart from the reformatory altogether, I could name numbers of cases where the parents are drunkards, but the children are perfectly sober, steady, respectable men and women. I do not think that heredity in the mental characteristics prevails anything to the same extent as in the physical. Physically, I believe heredity is all right. Mentally it might prevail if there were no other influences, but we cannot ignore other influences. A man might be a criminal because he had no good influence exercised over him. A child of criminal parents again, might be free from crime, because he has been well trained. You cannot have any positive rules upon the matter. It is like drawing deductions from phrenology. There are instances where men of remarkable culture and high moral character have been described by phrenologists as having the characteristics of criminals of the worst type.

Q. Do you think then that it is surroundings and environment that determine the boy's character? A. Very largely. I think that with the grace of God and good surroundings a boy may be all right however bad his parents may have been.

Q. Do you frequently find that the children of excellent parents—parents who are above reproach—come here? A. I do.

Q. How many of your present population of 208 can you put your hands upon as being the children of parents who are of irreproachable character? A. I can hardly tell you that; I have not the opportunity of getting that knowledge: but judging from correspondence with the mother and father, and brother and sister, of the boys—I can safely conclude what kind they are in nine cases out of ten, and this would lead me to believe that fully two-thirds of the boys are children of honest, careful, thoughtful parents.

Q. This is remarkable evidence, but I suppose you have weighed it well? A. I have weighed it well. I can hardly take up any work in which I do not find a good deal of gush and sentiment, and that has set me thinking and enquiring into the matter.

Mr. Jury.

Q. Do the parents often write enquiring whether the boy is improving? A. Oh, yes.

The Chairman.

Q. What in your opinion are the chief causes of children becoming criminal and finding their way into your institution? A. Very largely the liberty that is afforded them in this country. The parents do not exercise that careful surveillance that they ought to do over their children. Parental neglect often on the part of the father and mother lead to the children becoming unmanageable first and drifting afterwards into criminal ways. Then the temptations in the large cities and towns growing out of their having too much liberty, and getting into the companionship of the criminal classes, tend to the development of a criminal disposition. The great liberty that is allowed to many of the boys is a danger to the youth of this country.

Q. Have you frequent talks with the boys themselves? A. I make it a rule to talk to every boy so that he will feel he has a friend who is ready to advise with him should occasion arise when he needs counsel. In our first interviews there is a certain shyness, but in subsequent conversations they feel more confident, and they feel too that they can trust me as a friend if they behave themselves properly.

Q. Do you get much reliable information as to what leads them into crime? A. Well, everybody has an apology for that. I have to take their statements as to that with a great deal of salt.

Q. Do you think that abject poverty is a condititon that often leads to criminality? A. I believe that it is one of the largest causes of crime. Poverty, and the conditions which it compels, must be regarded as productive of a large amount of the crime of civilized countries.

Q. Are your children chiefly the children of poverty-stricken parents? A. Fortunately for this country, poverty is not general. You cannot say there is much poverty in this country, but there may be a good deal of struggling. I will take the town of Penetanguishene now for example. I do not think there is any one here who cannot find work, but we have a certain amount of the population who are in struggling circumstances.

Mr. Jury.

Q. What proportion do you think of the parents are above the laboring or artisan class? A. Very few. I have had the sons of ministers, lawyers, and doctors here, but very few. I have the son of a professional man now in the place.

The Chairman.

Q. Whence does the large bulk of your children come? A. The County of Wentworth and the city of Hamilton send me more than come from anywhere else in proportion to the population.

Hon. Mr. Drury.

Q. Do many come from farmers? A. Not many, but some from laborers and artisans.

The Chairman.

Q. Do you think that the arraignment of children for first offences in the police court has a bad effect? A. Of necessity it has.

Q. Why? A. In the first place, the very fact of the child being arraigned in a public police court with the surroundings there, and before being arraigned put in a cell awaiting trial, must be bad. This has a most destructive effect upon the morals—hardens a boy and makes him reckless. Furthermore, I think the system pursued by police magistrates, of sending a boy to gaol for a short period before sending him to such an institution as

this, has a bad effect. Take that boy Tim McCarthy that you read about in the Toronto papers as having been twenty-five times in gaol. That boy served his four years and went out. I have seen him time and again, and he never would pass me without coming up and speaking to me. Down through Leader Lane and Exchange Alley the poor soul was to be seen in rags and misery. His mother was a drunkard, and what was to be expected of the poor miserable boy thrown on his own resources? He is here now and is contented and happy. That boy you can see has some mental defect. The writer of one article said there was an evil look in his face, but I fail to see it, and I do not think that one of you will say anything of the kind. There is a simple look about him, but that is all. And here I would take the liberty of saying to the Commission that strong words should not go to the public about public institutions with a reckless disregard of facts. For instance, Chief Constable Horsey of Kingston made a most injurious statement about this institution, and altogether unwarranted, when the Commission were there. He has never been here and he is reported to have said that the reformatory is a nursery of crime. That man is ignorant of the work that is done here; he is ignorant of the seventy-five per cent of reformed boys sent back from this to Kingston, and looks only at the twenty-five per cent. who fall. Seventy-five per cent. of the boys we have sent back to Kingston have been reformed, yet the *Week*, one of our most respectable weekly journals, takes the matter up and makes this man's statement the basis of an attack on this institution.

Q. You have very frankly told us of the defects of the institution and the difficulties you have to meet. What would you do in the way of establishing an ideal reformatory, if you had all your own way and the money to do it with? A. To begin with, I would have it an indispensable condition that those engaged in the work should have no other care, no other employment, no obstruction interfering with the performance of their duties; they should devote themselves to that work and to no other. The superintendent, a capable and wise man, should have the appointment of the officers who form his staff: for after a little observation he is the best man to judge of the qualifications of those who are engaged in the work. It would be natural to suppose the whole system would develop. It would be hard for me to lay down at once how it should be done, further than to say that the main foundation of it should be first moral and religious instruction given as thoroughly as possible; secondly, secular scholastic training in the same ratio; thirdly, industrial training in unison with the other two.

Q. Now, structurally? A. Structurally, it must be in harmony with the ideas entertained in regard to the work to be entered upon and carried out. Structurally, there should be plenty of school-room accommodation, plenty of chapel accommodation, plenty of accommodation for the carrying out of the several industries with light and air in abundance all throughout.

Q. Would you have the cottage system, with the cottage father and mother you have been speaking about? A. I would not favor it for Ontario. Because you could not get in Ontario those who would devote themselves solely to work of this kind and dedicate themselves to it. After the things I have stated there should be a good farm with good lands and with good opportunities for farming employment, good outhouses, good stock, and everything in harmony. Its location should be as near as possible to one of the busy centres for many reasons; first, in regard to obtaining supplies reasonably; next, as a source of information, and also as a means of keeping the men alive; and again, you would have means of obtaining more intelligent men to fill up the gaps in the institution as they arose.

Q. Having got this ideal institution located in the right place, would you have the indeterminate sentence and the probational system? A. Of necessity, in every case.

Q. And apprenticeship? A. Both. I am entirely in favor of these. All these are aids in reforming boys. You have no conception of the value of this grading system unless you are bereft of it. It is a great assistance to the superintendent in maintaining control over the boys; for instance, I see a boy who is slovenly, I might scold him and

he would pay little heed to me, but if you say to him "Here are twenty-five marks off you, you won't increase your grade during the next month," this has a different effect upon him. If he has got other bad habits I might at present degrade him in school and remonstrate with him, but under the grading system he has an incentive to improvement; then if the boy conducts himself well and is making rapid progress it sours him when he knows that whatever exertions he may make they can in no way advance his prospects in the institution, or as regards leaving it.

Q. Have you not got in the "Act respecting the Reformatory for Boys 1880," all that you want? A. I have got nothing in that Act.

Q. Is not the whole foundation of your ideal system there? A. Yes, the whole foundation is there; everything is there if I could carry it out. I will give you an illustration of the injustice of the present system of pardoning and the injurious effect it has upon the boys and the institution. I had a boy here whose father was a reduced Irish gentleman, a man of education, and the mother must have been a very fine lady; but as I say they were reduced and came out to this country. The daughters took positions in telephone offices, as typewriters and as salesladies. This boy was in a sales warehouse, a bright, smart, intelligent youth. He got into trouble and was sent here. There was no viciousness about him but he was nearly always disorderly, always in trouble; I bore with him. Latterly I made up my mind that I would remove him, but I had a letter from the mother and I gave him another chance; in fact, two or three more chances. I learned unexpectedly that there had been an attempt to get him out within his first year, and I received a memorandum from Ottawa making enquiries respecting his character; I said in reply "I regret I cannot recommend the exercise of executive clemency on behalf of this lad." More promptly than I usually do I received the order for his discharge forthwith from Ottawa. The boy was at the time in a punishment cell, he had been one of a party who had made an attack upon a guard and had not timely attention been called to the fact by other boys, these boys would have maimed the officer. Having received the Minister's order for the immediate release of the boy I was in a dilemma as to what I should do. To set free a boy who was undergoing punishment for a serious breach of the regulations would have a bad effect upon the others; so I sent another communication to Ottawa respecting the lad's conduct, mentioning that I could not recommend him as a fit subject for the exercise of executive clemency in the former communication, and adding that latterly he has been decidedly disorderly and insubordinate, that he had three weeks ago in conjunction with three other lads, attacked a guard and thrown him down, and that he was now under punishment and if he were released it would be subversive of good discipline. I got in reply a letter saying that there were no means whereby his Excellency's pleasure could be cancelled or changed.

Q. Don't you think that there are other agencies that ought to be brought into action before commitment to a reformatory is tried, and if so, what are the agencies you would recommend? A. In nine cases out of ten where the boys are brought up in court if the magistrate were simply in the position to place the boy where his parents could give him a good flogging, or the policeman could do it, I think it would have a deterrent effect and would save a large number from being sent to the reformatory and from falling again into crime.

Q. Do you think that a system of probation without any institution at all would be beneficial? A. Most certainly I do.

Q. And if the parents were not proper persons to be entrusted with a boy some other proper should take him? A. Certainly, but if you have the parents and they can be trusted at all with the child, either upon suspended sentence or some other arrangement, I should leave him with them. Give back the boy to the parents because I hold that the ideal reformatory I have outlined, if it were attended with all the advantages that could be given to it, and endowed with the best talent that this public institution or any other public institution could have, could not take the place of good parents and a good home.

Q. Don't you think that there is another kind of institution that might be tried before reaching the reformatory—an industrial school? A. I think it is good to have an intermediate place like an industrial school, but I would not be satisfied, I would not have faith in an industrial school being effectual after these other means had failed, because an industrial school is simply other persons than the parents taking charge of the children. If the first method was tried effectively it would accomplish all good purposes without having an intermediate institution—an industrial school.

Mr. Jury.

Q. Have you had any boys up here brought out from the old country by Dr. Barnardo or Miss Rye or any of these people? A. Some, but not a great many. I believe that we have had a few but not a large number; but I will say this, that they have been the least amenable to discipline, the least impressionable boys that we have had You may talk about heredity, I think if you spoke about generations of crime, and the virus being developed that produces criminality, you would not exaggerate the moral deformity of these boys.

Hon. Mr. Drury.

Q. Who appoints your guard and staff here? A. They are appointed by the Ontario Government.

Q. On your recommendation? A. Sometimes without.

Q. Your ideal system is that the appointment of the subordinate officers should be in the hands of the chief officer? A. I think that might be looked upon as a reasonable position to take; if a man is capable and worthy of being entrusted with the direction of an institution like this, entrusted with the whole management of it, with the moulding of the future of these boys, he ought to be entrusted with the selection of his own assistants.

Q. I understand you think the system here is defective? A. It is defective. In your own business as a farmer a man might engage to do particular work, but if he shews that he is utterly incapable you dispense with him; but it is not so here. If I find a man incompetent I cannot get rid of him no matter how the institution's interests might suffer.

Q. Then another question I wanted to ask is one that has in a sense become public, and that is in reference to the amusements you have here on the Sabbath? A. This has been a burning question for me. I felt as if a mine were going to be sprung under my feet, but the responsibility was taken off my shoulders so long as ten years ago.

Q. Give us an outline of what takes place here on the Sabbath morning? A. I will give you the reason for certain physical exercises being indulged in. In the morning when they come from the dormitory the boys go to the playground and breakfast takes place at 7.30. From 7.30 until 8 they are at breakfast, and after breakfast they muster for church and the service is held from 8.30 till 9.30. At 9.30 they are free, and in this season of the year they go to the playground from that hour until 12, doing anything they might do any other day. They have got the use of the playground and playroom and they engage in such amusements as lacrosse, baseball, football, until noon, when they assemble for dinner. A 2 o'clock they attend Sunday school for an hour, and from that time until 5.30 they are in the play ground. On Sunday evenings they are sent to the dormitories after six o'clock. When I first came here I saw them on the first Sunday under the sweltering heat of one of the hottest days in the latter end of August hanging about in groups. I noticed the same thing for several successive Sundays. The weather was very hot and the boys would get together in groups in the shade and they would walk in groups together, no play or recreation was indulged in and I thought it would be well for them to introduce some other way of passing these leisure hours. I had to deal with lads considerably more hardened than those we have now, because the penal system was in operation then, the same system of discipline was in vogue as in the penitentiary, the same ideas prevailed as to management, and there were penitentiary

guards and wardens. A far larger proportion of the inmates of that time were old boys, young men, of whom we have very few or next to none now. They were more hardened and reckless and indifferent, and when I saw them in the groups I have spoken of, I noticed that many of them were not doing each other any good. I broke up the groups and tried to have the morning filled up with services and some kind of occupation, reading, and the like, but I failed. I found that I could not fill up the time in that way. Having asked Mr. Langmuir for the necessary permission, and I may say that although perhaps he does not know of it, we had during the whole time he was here, lacrosse and other games. Rev. Dr. Gregg was the first to call upon us and he said that under the circumstances he would do the same thing. The practice had also the sanction of Bishop Sweatman, who on seeing the boys related the experiences that he had in providing Sunday amusements in connection with the college where his early life was spent, and mentioned that the lads occupied themselves rowing on the Thames. In 1884 legislation took place in connection with the stricter observation of the Sabbath. I felt then that I ought to bow to the law, and I gave an order that although in the summer time the boys could go into the field they should do nothing more than walk up and down. That continued for two Sundays, but after the second Sunday the chaplains waited upon me and asked me why the former practice had been discontinued. I told them why and they said, "You are doing harm because you are not allowing them to have proper vent to cool themselves off" I got a letter from each of the chaplains asking that the practice should be resumed.

Q. Who was the Protestant chaplain then? A. Rev. Mr. Anderson, and the Rev. Mr. Lloyd had every opportunity of seeing them whilst he was chaplain, and he considered that between Sabbath breaking and strict Sabbath observance, we were choosing the least of the two evils as regards the institution. Now all this time it went on and I was the only one responsible all through. Mr. S. H. Blake, in a sermon, or lecture, which he delivered in the Baptist church last August or September, referred to the subject, and I was immediately called upon by the government for the reasons I had for adopting this practice. I stated my reasons in a letter. I said then what I say now, that the responsibility rests upon me, but that it was done with the sanction of the chaplains who are the best judges, and who had the best right to speak as to what was likely to be most advantageous for the boys. I had no idea at the time that the amusements were resumed, at the request of the chaplains, that I would get into trouble about them. I may say that I have had mothers—numbers of them coming here spending Sundays, and plenty of the mothers have approved of the amusements. Of course they might only have given their adherence to the practice, thinking that it might not be to the interest of their boy to make any complaint as regards the system, but I can assure you they used to look upon it as an advantage to their sons. I expected, however, to hear something in the way of complaint from some but I never did. We have continued this up to the present time and I have had no orders to stop it.

Q. I suppose it is just about what we see going on now outside? A. Yes. The amusements are the same on Sunday morning as on Saturday afternoon, and there will just be the same amount of hilarity and noise, but you will be able to see it and judge of it for yourself to-morrow.

Q. Have you considered carefully all that can be said in favor of and against the practice? A. I have.

Q. And you think you are quite justified in continuing it? Yes. As we are situated at present. But if we were properly situated structurally we might be able to do without it. Our guards have half holidays on Sunday, that is the only day they have any relief.

Q. You have a large room. Would you think that good might result by obtaining some people who might be willing to give their assistance in the way of occupying the attention of the boys, to give their services in that way? A. No. That would not be possible here, it is one of the defects of our geographical position.

Q. Otherwise would you think that this would be a great assistance to you? A. I would say that that is one of the objects of that large room. If legislation was as it should be, and if we were structurally in the condition which we ought to be in, and the institution organized on proper lines we should not want outside assistance; of course, in public institutions you cannot bring every Tom, Dick and Harry into contact with the boys, because they might introduce elements of trouble and discord, but I think something might be done in that way.

Dr. P. H. SPOHN, Surgeon the Reformatory, examined.

The CHAIRMLN.

Q. When were you appointed to the position of surgeon? A. I think in 1873.

Q. What is the health of the institution in a general way? A. It is good.

Q. Have you had any epidemic during your time? A. We have had several epidemics, two of typhoid fever, two of diphtheria, and two of pneumonia. When I say epidemic, there would probably be 30 or 40 boys laid up.

Q. Were these local to the institution at the time? A. I think they were except pneumonia, which was general throughout the country.

Q. Were there any local structural defects that they could be traced to? A. In the case of diphtheria, we located it I think satisfactorily, but so far as typhoid fever is concerned, there are so many causes and reasons advanced that you can hardly locate it.

Q. Are your patients in the reformatory more subject to diseases of this kind than other boys outside? A. I do not think so. Of course when you have a number of boys together the contagion spreads more rapidly than in private families.

Q. Have you the means of isolation now for the treatment of anything of this kind when an epidemic arises? A. We have not a hospital isolated, but we have taken the Protestant chapel.

Q. Are the constitutions of the boys very much the same as you find in your ordinary practice in private families? A. Not quite so good. They are different in physique. Boys from the criminal classes are not so well developed as a rule; they are scrofulous often and they have a certain amount of hereditary disease, and they are not so well developed. Disease of a certain nature might spread more rapidly with these constitutions, and it takes hold of them quicker, but they are not all of this class.

Q. But speaking in a general way, are the constitutions of the boys committed to the reformatory good? A. Yes, they are.

Q. Do you find much difference between those who come from the cities and those who come from the country? A. As a rule, very few boys come to us from the rural districts.

Q. There is no doubt in your mind that certain physical diseases are transmitted That is generally accepted by the profession is it not? A. Yes.

Q. Now then, as to taints of a moral character, do you think these can be transmitted? A. To a certain extent. They are like the color of the hair and the complexion. All these traits are transmitted, whether to the extent that some people think, is another thing, but there is no doubt they are transmitted. The child of two drunken parents would be more likely to become a drunkard than the child of parents who are not such.

Q. Is that a constitutional or hereditary moral taint? A. It is a hereditary taint.

Mr. JURY.

Q. Is there any difference between the two? A. There is this difference; we believe that human beings have what might be called two instincts—a natural instinct, and an acquired instinct. The natural instinct—it is probably hardly a fair comparison, but the natural instinct would be something the same as the animals have. For instance, a crow hatches her young, and all birds of this class build their nests exactly alike. They have the instinct of association and the rearing of those young after they are hatched. You take a woman carrying a child; if she drinks that child will be under the influence of alcohol and will be more likely to become intemperate than the child of a mother who is temperate or who does not drink: but the moment that the child is born it is still being educated in this line. If the child could be separated from the mother at the time of birth, and educated the other way, it is very much a question whether it would be much more inclined to intemperance than the child whose mother is temperate. The line is very fine. Take one year after birth, I would say that the influence of one year or two years on the child then is better than six or eight years afterwards.

Q. You think that the child is more susceptible then than it is at six or eight years of age in the way of acquiring habits? A. The younger it is the more susceptible it is. When a child is born it is only partially developed. If you teach a child to laugh it will develop qualities that will produce a mirthful disposition and vica versa. And if you give a child any alcoholic stimulants, it forms a habit and naturally requires a certain amount of alcoholic stimulant to keep it in its normal condition. This is a habit acquired from the mother nursing the child. You take a child after it gets up to five years old, you cannot make the impression nearly so well on it as you can before that.

The CHAIRMAN.

Q. Is it merely an impression. If the child grows up to three, four or five years of age in a family where the father curses and swears, and the mother drinks and the child is taught that this is the proper thing to do, how would it be then? A. Well, it would take a good deal of trouble to eradicate that idea, still it could be done.

Q. Take the case of a child born of vicious, profligate, criminal parents; separate this child from them at the age of two years and place it in good wholesome associations; do you think this taint of the parents will follow the child in after years? A. I think it will to a certain extent.

Q. Do you think that kleptomania is a hereditary trouble. A. To a certain extent it is. And more than this, with regard to these hereditary diseases, certain influences might produce a disease in parents and that disease will be handed down to the children in a peculiar way. For instance, suppose a man receives a blow upon the head, or his nervous system is injured, or he becomes epileptic, he might appear to become healthy and sound and yet if he has children afterwards they are likely to be epileptic or to be subject to the effects of that injury.

Q. That is singular? A. Still it is the effect of this man being hurt and the injury has affected his physical nature. Now in the kleptomaniac, the act itself is merely a reflex nervous action.

Mr. JURY.

Q. Is not every act merely the reflex action of the thought? A. Sometimes you get these influences from external sources. Kleptomania generally takes place with women when they are with child, and they cannot control their actions. It is hard to to say when this is the result of disease and when it is the result of habit.

Q. Is not the mere fact of the doing of it evidence of a diseased mind? A. I do not think so. There are cases which show that the mind is diseased, but very few

Hon. Mr. Drury.

Q. Have you read the theories of some specialists in regard to the perpetuation of criminality in some families going down through generations? A. Yes, I think they go too far. Some of the opinions I have seen upon this question have led me to come to the conclusion that the writers have gone a little too far.

Q. I suppose everybody will admit this, that the instances are very numerous where certain families have produced such a large crop of criminals relatively to other families, that it is not a mere change or accident, but may it not be that the surroundings in early life of the children of vicious parents, tainted with deceit, hypocrisy, lying, and everything vile, did more to cause this than direct inheritance? A. I think that from the time of their birth until nine or ten years, the influence of education is stronger than the influence of birth.

Q. So that if the children of vicious parents could be removed at a sufficiently early age, the number of those falling into crime, would not be larger than in ordinary families? A. No, not very much larger.

The Chairman.

Q. Has not the physical deterioration of this class something to do with the perpetration of crime? A. There is no doubt it has for this reason. You take the children of the criminal class. They come into the world not well developed in the first place; they are not fed, not cared for properly, and are brought up in such a way that they take to crime more easily than children properly fed and properly brought up.

Hon. Mr. Drury.

Q. Do you believe that there is a greater probability of a badly-developed child—one that is in certain constitutional points, weak—being more liable to give way to temptation than a strong healthy child? A. I think so, for this reason: Because he would give way to the influences about him sooner than the child well developed and endowed with a stronger will. He has not the power of resistance that a well-fed, well-developed child would have.

The Chairman.

Q. Might not that really be the effect of heredity? A. I think that is where they go too far, because when they talk about crime being hereditary, they must draw the line at the time of birth. Who is to say what amount of criminal taint is in the child before it is born.

Mr. Jury.

Q. But don't they always have a hereditary tendency! A. Then if you use the word tendency it is correct. I have heard them say that the children are not accountable for their actions, because they inherit it—that they could not help it. I don't believe that at all. I believe that the influence of the surroundings has more to do with it than heredity.

The Chairman.

Q. Do you think then that criminal tendencies of the lowest kind are the result of environment or of hereditary taint! A. I cannot say that they are the result of the one or the other; they might be the result of both.

Q. We have ocular demonstration that environment causes them, but is it equally clear that hereditary taint does so also? A. It is not equally clear. Reasoning from other sources, we find that we cannot draw the line there; but you cannot reason the question out as clearly as the other. Another thing you cannot tell unless you get a certain number of children separated from the mothers at birth. When the child goes

on under the influence of the mother or father for the next seven or eight years, the influence of the training and education would be nine times as strong as the hereditary taint.

Mr. Jury.

Q. You believe that all the physical qualities or proportions of the child are transmitted by the parents. Don't you believe that the shape of the brain from which all our senses pass, and by which all our actions are governed has a lot to do with the character of the child. Say, for instance, that the cerebrum is small and the cerebellum is large, or vice versa? A. There is no doubt you can get generations of people with brains not very well developed, and you can trace lunacy through several generations, but the development of the brain depends a good deal upon the child's education after birth.

Q. Do you believe that the inherited tendencies of generation after generation can be obliterated by one generation of a good constitution and strong mental vigor? A. I would not say that, that is going too far; but you can go a great way towards obliterating it. I believe it can be obliterated, but it would be with a good deal of trouble.

Q. If you obliterate it in one child, don't you think that child is just as likely to breed a defective afterwards? A. No, I think that the influence of the one life will overcome it.

Q. Do you think that one generation will overcome the influence of fifty? A. I don't say that; but I don't think you would be able to prove the influence of the fifty; it depends altogether where you start. I believe if you get them with a criminal record away back it might be impossible to eradicate it; but if not more than five or six generations of criminals, it is possible to obliterate it.

Q. You cannot get away from the fact that the moral acts from the physical—that the moral qualities are determined largely by the physical qualities of a man? A. Well, I am not going to concur in that altogether.

The Chairman.

Q. Take a well-brought family of five sons, whose parents are known to be honest and upright people; four of these sons go through the world without a blot on their record: one turns out a black sheep—viciously bad; they are all brought up alike, would it be fair to say this was the result of hereditary taint of two or three or four generations ago it might be? A. No, that boy might be highly strung, or something of that kind. You know that there is this about it. The disposition or character of the child depends not altogether upon the normal condition of the parents, but on the condition of the parents at a certain time. There is a great deal in this.

Q. Do you believe that this hereditary tendency to crime is developed largely in weak constitutions through not having the power of resistance, and that this is sufficiently evident to require some kind of treatment for this class of children? A. Yes, and the treatment is separation as soon as possible.

Q. You think then that this is sufficiently clear to warrant the government separating children from parents who are encouraging them in criminal ways, or exercising no restraint in preventing them from falling into criminal habits? A. Certainly, by all means, there is no doubt about it.

Q. Do you from your experience as surgeon of the reformatory, know of any instances or many instances, where boys are just following in the steps of their parents in criminal courses? A. I cannot say I do from personal knowledge. We have a good many reformatory boys who settled down at Penetanguishene after they came out of the reformatory, but they are behaving themselves.

Q. Are they pretty respectable? A. Yes, one is a contractor at Collingwood; but I know that there are some boys who come back to the reformatory and some find their

way to the Central Prison. A considerable number will no doubt go back to their old habits. But of the boys in an ordinary school, a certain number will go to the bad; so it is with the reformatory boys, a certain number of them must go back.

Q. In other words, in an ordinary school of a hundred boys, it is only to be expected that some of their number will go astray, but the probabilities are that a larger number in a reformatory of a hundred boys will go to the bad? A. Yes.

Q. Have you noticed the bad effects of evil association in the reformatory? A. The experience I think teaches us that these boys all understand this before they come here. I do not know of a case—not a single case has come under my notice where boys have been contaminated in the reformatory. Every boy I have spoken to learned evil practices of the worst kind years before he came to the reformatory.

Hon. Mr. Drury.

Are there many cases of this kind? A. There are a good many amongst the ordinary boys of the reformatory. I think that half the boys throughout the towns and villages in the country are masturbators.

The Chairman.

Q. We noticed quite a number of young boys in the reformatory, do you think it wise to bring these little boys into the reformatory? A. It would be all right if they were kept by themselves; if they had separate dormitories, separate work-shops and schools for the n. The fact is in my opinion, that more boys should be working on the farm. They would learn something there and it is the business of the authorities to provide employment for the boys that would be useful to them in after life.

Victoria Industrial School,
Mimico, August 15th, 1890.

Present—J. W. Langmuir, Esq., Chairman; Hon. Chas. Drury, Hon. T. W. Anglin, Dr. Rosebrugh, A. F. Jury, Esq.

Donald J. McKinnon, Superintendent of Industrial School, sworn.

The Chairman.

Q. When were you appointed to the position that you now hold? A. I took office on the 1st October, 1888. Mr. W. J. Hendrie held office from the foundation of the institution until I took his place.

Q. What was your previous occupation? A. Public school inspector for the county of Peel.

Q. What number of pupils have you in the institution to-day? A. About 140.

Q. Can you give us the counties and towns from which they are received? A. The counties of York, Ontario, Oxford, Simcoe, Perth, Haliburton, Welland, Lincoln, Norfolk, and Brant. I think about 40 come from the outside districts and 100 from the city. They are all committed in the first place by the magistrate or judge, and nearly all are committed on the request of their parents or some friends, made to the magistrate or the judge.

Q. Now, what is the nature of the delinquency or offence with which they were charged? A. Generally speaking, they are said to be incorrigible; they sleep out at night, run away from home, refuse to go to school, or are suspended from school and have proved unmanageable by the parents or teachers. There are often more serious offences underlying these, but the evidence before the magistrate is generally confined to these

offences. If any have been convicted of crime upon any previous occasion no report has been sent to me of them. I know that the greater number of the boys have been guilty of pilfering or stealing to a greater or less extent. This I learn from their parents or others.

Q. Do you also learn whether they have previously been in custody for offences of this nature? A. Some of them have; sometimes when a boy employed as a kitchen boy or something of that sort, is not quite honest, the employer adopts this course. I have a case in my mind and it is not by itself. He says to the mother 'now, I don't want to have your boy sent to the police court, but he ought to be taken care of in some way; you had better send him to an industrial school.' And she is made to send him here to prevent his being sent somewhere else. In that case, the boy is not brought before the court, but is brought before the police magistrate or judge.

Q. Is there a provision in the Act for them to have a private hearing? A. Yes, and they do have a private hearing; they are not brought up in the court.

Q. Are they in no case brought before the court publicly? A. They are not brought before the court publicly with a view to being sent to the industrial school: they have been before the court perphaps for some offence and the magistrate has deferred taking action and the parents have had them sent to the industrial school.

Hon. Mr. Drury.

Q. In what way do they get round the fact that there is a charge against him? A. Sentence is deferred; the boy is remanded and then proceedings are taken for the purpose of having him committed to the industrial school.

Q. Is this called suspended or deferred sentence? A. It is called remanded, and the charge is dropped.

The Chairman.

Q. Have you any boys, to your knowledge now, who have been in the reformatory? A. We have one boy who was in the reformatory.

Q. When you say a magistrate sends him here, must he be a police magistrate in the city, or any magistrate in the country? A. It may be any magistrate in the country, and the police magistrate in the city.

Q. When a boy is sent by a judge or magistrate, is there any arrangement made prior to his reception as to the payment of his maintenance? A. Sometimes there is.

Q. What is your method of ascertaining this? A. Well, there is no regular method; we are generally guided by circumstances. Say a boy is sent in from the city of Toronto——

Q. Does the city of Toronto pay any contribution for his support? A. The city of Toronto pays in every case, if the boy's parents do not. A separate arrangement is made with other municipalities.

Q. What is the charge made to parents who pay? A. $2.00 is the maximum; some pay 50 cents, some pay $1.00 and some $1.50 per week. This is transmitted to me. The parents generally pay on visiting days when they come up the last Saturday of each month.

Q. What was the cost of maintenance last year? A. The total cost of maintenance for the whole year was $2.99 per head. This includes the wages of the staff and everything. The average number last year was 88.

Q. As you increase in numbers will the cost per capita be reduced? A. It will somewhat. the $2.99 includes for interest 39 cents, for depreciation in value of buildings and stock, implements and furniture 31 cents, so that the cost, leaving out all these items was in reality $2.38

Mr. JURY.

Q. Do you charge interest on the capital outlay or only on the mortgage? A. Only on the mortgage.

Hon. Mr. ANGLIN.

Q. What was the entire expenditure for the year for maintenance exclusive of permanent improvements? A. A little over $10,000.

Q. What has been your capital expenditure in order to provide for the present number of boys? A. About $60,000. To provide entirely for our number of boys, the capital outlay for building alone $52,000; for furniture and furnishings, and stock and implements, $2,000; and including all the improvements with all our furniture, stock and implements, and so on, there are $7,000; making the capital outlay nearly $60,000.

The CHAIRMAN.

Q. Does this outlay furnish you with accommodation for 140 boys? A. No, it does not; we are very much overcrowded; we have cottage accommodation under sanitary rules for 110 boys.

Q. That is about $550 a boy? A. Yes.

Q. Would this figure be reduced by an increase in the number of cottages, having regard to the fact that you have provided your official buildings, out-houses, stock and plant, and so forth? A. Well, to a limited extent.

Q. What do you think would be the cost for the institution for about 200 boys? A. We have not at present got proper work shops; these would have to be added to the cost of the buildings for the institution; to accommodate 200 boys we would have to erect a school house at a cost of $10,000; this is partially built and contracted for; work shops with power would cost about $8,000; two more cottages $18,000; or, with furniture, $20,000.

Q. That would be $38,000 to add to the $60,000? A. Yes; and we would also need further accommodation for stock and roots, and a gymnasium for the boys to drill during the winter; we would require to have water; we have only here water sufficient for present requirements, and sometimes the supply is very scanty; we should have water from the lake; all these things would be required to make the accommodation just what it ought to be; we would want for this another $15,000, and then I think the conditions would be satisfactory.

Q. In other words, it would cost $115,000 for a complete establishment for 200 boys? A. Yes.

Q. Do you think 200 boys would be a proper number to provide for in one industrial school? A. I should not like to see more than 200 in one school. That would not necessarily be the maximum, but it would be a good number to work with.

Q. What do you regard as the maximum number that ought to be in each cottage? A. I would not recommend more than thirty in a cottage.

Q. And what should be the official staff for a cottage for thirty boys? A. A father and mother simply. I prefer to have the workshops away separate.

Q. It would be just a living place? A. Yes; just a home. I would have a common dining room for the whole of the inmates; I daresay it would be better to have the food served in the cottage, except on the score of expense, it would be more expensive to have a kitchen and dining room in each cottage.

Q. When you say it would be better, do you mean in point of association of the boys? A. Well, my objection to the congregate system is that there is too much discipline; I think it would be much better if the boys had freedom after dining, for them to

have a chat with each other. When there are 100 or more boys in one dining room, we cannot allow them to talk to each other, and the meal is not so pleasant as it would be if they carried on a conversation.

Q. Is it your idea to keep up the family relation as much as possible in each cottage? A. Yes.

Q. Would you prefer the dormitory system, and if so, for what number? A. I prefer the dormitory system; I think the boys are far more likely to behave themselves well when there are a number of them in the same room. I think I should have just two, with fifteen boys in each, or about that number.

Q. Would you attempt a classification of the pupils in the cottages? A. Not within the cottages. I would classify them by the cottages. I would not allocate to each one a classification for itself, but I would select the boys to be placed in each cottage. I would send thirty boys of about the same age, about the same in point of conduct, boys that I would think might properly associate with each other; I would send them all to one cottage, and I would have no distinction between one class of boys and another in the cottages.

Q. You would expect the boys to be alike in character in each cottage so that they might associate together without danger of contamination? A. Yes.

Q. Have you much fear of contamination at all? A. There must be a certain amount of contamination; but on the other hand the boys, almost without any exception, conduct themselves properly; so that the good influence must be stronger than the evil. When I said I would have all boys in the same cottage of about the same standard, I might say that I think it would be well to have a couple of very trustworthy boys in each dormitory; I have in the new cottage that we have just occupied only little boys, but I have four very trustworthy old boys in the cottage to help the cottage officers in caring for the little fellows. It improves them to give them this care and responsibility. I have some boys that are almost as useful to the institution as an officer would be.

Q. Have you so far found any bad effects from the association of so many boys in the dormitories of the cottages, in the play ground, and in the various departments of the institution? A. I think that their association in the play ground under proper care is good and can only be good. I have not heard since I come here of any bad results attending it. I frequently hear boys talking who have no idea that I do. I have not heard more than three or four oaths during the two years I have been here. Swearing and foul language on the play ground is almost unknown.

Q. How do you find it in the other departments? A. I have found no evil results from it except in the dormitories. There has been evil in the dormitories. There was about two years ago. I discovered it and the boys implicated confessed to me. From the most reliable boys I hear, and I believe thoroughly that there is no such thing now among any of them.

Q. You refer to masturbation? A. Yes, and boys getting into the beds with each other. I would not say that I have succeeded in stamping out masturbation completely, but I think it is nearly at an end. A great many boys come to me and tell me that if they had only known how bad it was they would never have done anything of the sort, and I am sure there is very little, if anything, of it carried on now.

Q. But apart from the physical effects, what about the moral results of association. Have you ever heard a big boy counselling a small one in criminal courses and suggesting criminal acts? A. No, I have never heard it; but I have heard of it at the time that this trouble occurred in the dormitories. I found that the larger boys had been inciting the little boys to wrong doing.

Q. And what steps did you take to overcome this? A. I spoke to the boys about it in public—that is together, and spoke to a number of them privately and placed a lamp in each dormitory and absolutely forbade boys getting out of their beds at night except for one necessary purpose.

Q. Did you find that this order was fairly well regarded and that an improvement set in? A. Yes; not only an improvement but a complete reformation.

Q. Don't you think that the proximity of the beds in the dormitories is an evil? A. Yes; but of the two evils—rejecting the boys altogether, or admitting them under this difficulty—I think that admitting them is the least. I think they are a great deal better here than in the streets, notwithstanding our overcrowding.

Q. Do you think that a sub-classification in the dormitories might be still better, and that if you had rooms for four or five well behaved boys, that it would be an incentive to good conduct. A. I do not think so; because, by promoting the good boys out of the dormitories, I would leave the worst. The best boys have a great influence for good over the other boys. It is because of this influence of the best boys, that the worst are afraid to do anything wrong.

Q. Are you advocating the associated dormitory system provided that too many are not put in the dormitory? A. I do not know that there can be too many put in a dormitory, provided their beds are far enough apart and provided the dormitories are well enough ventilated. So far as the morals of the boys are concerned, I think the more the better; because each one additional boy is one more watch over the other boy that wants to do wrong.

Q. Then am I right in assuming that you are in favor of association in the dormitories and in the playground? A. Yes.

Q. And in the workshops? A. Yes, to a less extent.

Q. Why? A. What I mean is, that fewer boys can be taken care of by one officer in the workshop than in the playground or dormitory. It is a great deal harder to keep the boys at work diligently—to teach them how to work properly, than it is to supervise them in the playground. Two officers can supervise a hundred odd boys in the playground, and can do it very well.

Q. What number of inmates do you think would be best for an Industrial School under one superintendent and one staff of officers? A. Leaving the question of expense out of the question, I would say about 100, but I am satisfied that 200 could be very well managed in one institution, and that as this institution is constituted it could be managed with 200 even better than with 100; because we should have more money and more complete equipment. It would be mo e economical.

Q. What do you do when you find a boy gets beyond your control? A. We have found only two boys that we have thought incorrigible since the institution was opened three years ago. One of them was sent to Penetanguishene about a week after he had been here, that was in the time of my predecessor. Another boy ran away three times. He was brought out by one of the charitable institutions from the Old Country, and I felt pretty well satisfied that he needed greater restraint than I felt like imposing upon him. He was sent to Penetanguishene by me.

Q. Do you think that this boy should have been sent here at all even for the purpose of testing him. His conduct being bad, would not the effect on the remaining pupils be very prejudicial? A. I do not know. I think it is only fair to give a boy a chance before sending him to a penal institution or even a reformatory. I think every boy below a certain age should be given a chance of this kind. I do not think that there is any way of finding out whether a boy is past the influence of an industrial school until

you try him. We have had boys sent here who have committed no serious crime, but who have been far more difficult to manage than boys who have been guilty of repeated acts of theft.

Q. You don't think then that a boy who has committed the crime of petty larceny, or something of the kind, is beyond the pale of the industrial school? A. Not at all.

Q. And would you accept the risk of evil association then, and send a boy to a reformatory if he were not amenable to your treatment? A. I think so. It would be the best course to adopt in my opinion.

Q. The fact that only two boys in three years have been found incorrigible seems to prove that very few are incorrigible? A. Very few.

Q. Then you think that the class of boys who come to you although they have committed petty thefts are not criminally bad? A. There are only two boys in this school now under the age of thirteen that are naturally born thieves.

Q. Do you believe in heredity in crime? A. Oh, yes. I believe in the heredity of an evil disposition absolutely.

Hon Mr. Anglin.

Q. I understood that you really don't know much about the previous history of the boys that come to you. If this is so, how do you come to the conclusion that an evil disposition is hereditary in these boys? A. I was just going to explain that when the parents come to visit the boys, I find that, generally speaking, the children of the parents who seem to be of the best disposition are the best boys, and seem to have the greatest love for what is right. I have always a good deal of talk with the parents on the subject of their children, and generally, speaking, when the parents have a love of what is right, their children have a love of what is right also. The children of low looking people—persons who are evidently drunkards, if not criminals, in every respect, are a great deal more difficult to impress than the others.

Q. Do you think that this is the result of the children's vicious surroundings, or is hereditary taint?

Mr. Jury.

Q. Or is it both? A. I am not quite sure that hereditary taint has not something to do with it. I see the same evil countenance in some of the boys that their parents have, and I know by enquiries from the police authorities that their parents are not good people by any means. I find the same disposition towards what is evil exists in the children, but I do not think that it does so to anything like the extent in this country that it does in the Old Country, where there are generations of criminals.

The Chairman.

Q. Then you judge largely by the physiognomy? A. Yes, largely by the physiognomy.

Q. Can you improve the physical features by improving the moral character of the boy? A. Oh, yes. The features are changed after a lite of some months here. The boy, after a proper system of treatment, gradually gains an open countenance, and his features improve wonderfully. I have seen this in a great many instances.

Q. For the effective management of an institution of this kind, do you believe it would be better entirely under government control, or under private individuals? A. If the government were what it ought to be, then it would be far better under government control. Unfortunately, all governments are subject to improper political influence in the management of this class of institutions. No man or woman should be appointed to a position except he or she is the best that can be got for the salary that we can afford to give; but this is a position that is almost invariably ignored by governments.

Mr. JURY.

Q. Who appoints your officers? A I have got the appointment. No one interferes with me. No one recommends unless I ask for a recommendation. No officer has been pressed upon me, or even recommended without my asking for him. Of course if any of the trustees happened to know any one who was suitable for any vacancy at the institution, I would ask his opinion just as I might ask the opinion of any one in a position of responsibility who knew any particular applicant. I remember getting a note some time ago when we were in want of a farm instructor. It was something like this: "If Mr.——is not prepared to accept the appointment, there is a man here who, I think, would suit very well." I just said in reply, that Mr. Smith was willing to accept the position. That gentleman wrote to me out of pure kindness, wishing to serve me and to serve the institution. I have asked the members of the board to advise me, but no officer has been pressed upon me. That is the only reason I know why an institution of this kind should be, to some extent, at least free from government control.

The CHAIRMAN.

Q. Don't you think that if a system of industrial schools were established throughout the Province, uniformity of management would create a spirit of emulation that would be productive of good? A. I would favor government regulations, but I think the same authority that has the management of the institutions should have the appointment of the officers.

Q What does your staff consist of? A. There is the superintendent, the deputy, who is also farm manager, and then there is a farm instructor.

Q. What are the du ies of these officers? A. The farm manager blocks out the work and has the general control of the farm. The instructor has more to do with the boys directly. Then there is the assistant farmer. There are three men on the farm, which is 50 acres in extent. The tailor instructor is also the father of one of the cottages; the carpenter instructor is the father in another cottage. We have also men not appointed as officers who are employed in assisting. We have a chief matron, under whose direction all the other women work. She gives instructions with regard to the bill of fare, and with regard to everything in the women's department. We have two instructors in the kitchen, one in the dining room, and the instructor in the dining room directs the housework generally. There is one instructor over the laundry work, one is seamstress, with a couple of boys working under her. We have three cottage mothers.

Mr. JURY.

Q. In all cases are these the wives of the cottage fathers? A. Not in all cases. In one case the mother is a young woman, and she has the little boys under her. The father is a young man, who is the farm instructor. She sleeps in the room that you see between the two dormitories, and he sleeps down stairs; and he and she take alternately the lead in reading the Bible in the family worship night and morning. He brings over the boys to their dinner, and sees that they wash and dress. She sees that everything is done properly. I should say that there is one who is not an officer appointed by the board—the teacher who is employed by the Public School Board, Toronto, and is a public school teacher.

Hon. Mr. DRURY.

Q. Do boys receive instruction in all these departments you speak of, in the kitchen for example? A. They do. Boys work in cooking, baking, mending, knitting and housekeeping generally.

Q. Is the object of this to save expense or to give them a general idea of such work? A. The object is not so much to save expense. Indeed, I am not quite sure but the work could be done more cheaply by others; but to get the boys to know something of it. I do not think that it matters so much what a boy is taught to do so long as he is taught to do something and do it well.

Mr. JURY.

Q. Have you any shoemaking? A. No, but our boys mend shoes in the winter. Three boys last winter mended three hundred pairs of shoes. One boy managed the shoe room and the others assisted him.

The CHAIRMAN.

Q. Will you tell us briefly how you dispose of your inmates every day? A. They get up at 6.30 in the morning, that is the hour they generally rise. They dress and wash, and we have family worship at seven, breakfast at 7.30, recess at 8. Work begins at 8.15. They work up to 11.15, then there is recess till 12.30 that includes washing and getting ready for dinner. There is recess at one, and work at 1.15; recess at 3, work at 3.30; recess at 5.30, supper at 6; recess at 6.30. They go to the cottages at 7.30. From that time they wash and read and spend their time generally in the cottages until 8.15; they retire at a quarter before nine o'clock, and all is quiet at nine.

Q. Where does the school come in? A. Oh, this is during the holidays. With the exceptions of Tuesdays, Thursdays and Saturdays, the boys play or go to the lake or the base ball field after three o'clock, and in the school term they have no half holidays except on Saturdays. The school begins at 11.30 and lasts until 12.30, and then from 1.30 till 3.30, that is for junior boys; and then from 3.30 to 5.30 for senior boys. In addition they have drill once a week by Captain Thompson, the city drill inspector. We have music once a week, under a competent teacher, Mr. Cringan, who is engaged as musical superintendent of the public schools in the city. Some of the boys have band instruments.

Q. What are your arrangements for religious instruction? A. We have family worship night and morning.

Q. What do you do on Sunday? A. We rise half-an-hour later, have breakfast half-an-hour later and the boys go to the cottages and read, and prepare for church, until 10.30. At 10.30 they march to the church in the village. The church opens at 11; they come back and have dinner at one, half-an-hour later again. After dinner they go to their cottages, or if it is a fine afternoon they take a walk around the yard until four o'clock; at four they go into the Sunday school and that lasts until about a quarter after five; then they go out into the fresh air until six, at which hour they have supper. Then they walk around again between six and seven and go to the cottages at seven, that is in the fine weather in the summer time. In the winter they spend this time in the cottages, with the exception of about half-an-hour twice a day. In the fine weather in the summer they are allowed to take books out and read in the shade, and what they are allowed to do outside in the summer they are allowed to do inside in the winter.

Q. Have you a library? A. We have a good library.

Q. You have both Catholics and Protestants? A. Yes.

Q. Do all these attend the Sabbath school? A. Yes.

Hon. Mr. ANGLIN.

Q. Are there many Catholics? A. We have had here sometimes three children of Roman Catholic parents on both side, and we had three cases of mixed marriages, and we have two or three more who have attended separate schools but their parents are supposed to be Protestants.

Q. Are Catholics not sent here as a rule? A. They are not sent here unless their parents desire it. That is the law under the Industrial Schools' Act. The parents must consent. The Protestants can be sent without the consent of the parents.

Q. There is no Catholic place of worship in the village? A. No.

Q. And the Catholics go with the other children. A. The rule always is that if they come here they will be treated the same as other children ; they need not come unless they like, but if they do they have to submit to the rules of the institution.

Mr. JURY.

Q. What time are the children allowed for actual play. A. Two hours and a-half a day.

Hon. Mr. DRURY.

Q. Have you many escapes or attempts to escape? A. No. We have had since the institution started three escapes, one from the school and two from employment outside the school, but we have had only two successful escapes from the school

Q. Up to what age have you boys? A. We have them up to sixteen.

Q. What is your method of disposing of boys. I suppose you keep them here until they have proper ideas of life and then you seek out for them something outside. What is that? A. As a general thing the parents want them to go to them after their term has expired and as three-fourths of the parents live in the city, most of them wish to get employment in the city. The plan I generally adopt is this : that whenever a boy proves himself trustworthy to my satisfaction, I tell his parents that as soon as they can get a satisfactory place for him I will allow him to go to the place on probation. After he has been a month in the place in the city, wearing industrial school uniform, and coming home to the school every night in the train and I get a satisfactory report from his employer, I allow him to go home on probation, wearing ordinary clothes, staying in his situation, of course, and so long as he continues in his situation he is allowed to stay there.

Q. You don't receive boys over thirteen? A. Oh, yes, we have received them up to fourteen, and in two instances up to fifteen.

Hon. Mr. ANGLIN.

Q. I see from the figures here you have fifty-three from the ages of thirteen to fifteen. A. Yes.

Q. Do many of these boys take an interest in farming, and are they willing to go to work on farms. A. I encourage them as much as possible to go on farms. I have the boys with the farmers here in the summer months as frequently as I can, and I encourage as many as I can to go to the free grant lands of Ontario, or to go to Manitoba. I think a boy has a far better chance of becoming comfortable and useful there than if he goes back to the city. We have now eight or ten boys working in the neighborhood with farmers on trial and three of those who were sent out on trial are going to stay to complete the year.

The CHAIRMAN.

Q. What, in your opinion, judging from the character of the fathers and mothers that you have seen, is the best thing for the majority of these boys—to go back to their homes again, or to be sent to employment in the country? A. I think in the majority of cases that the boys would be far better in the country—not to go home to the city again.

Q. That being the case, would it not be a great aid to you to have some officer to look for places, to apprentice boys on farms? A. I do not know that it would be worth while yet, but after a while it would be. We have not enough boys ready to go out yet. We have been in existence only three years and we have very few boys to send out on farms.

Hon Mr. ANGLIN.

Q. I see that according to your report last year you had only eighteen of your boys upon your farm. Could you not find employment for more of them in that way? A. Of the

boys that went to the cottages, there are, I think, fifty-seven too small to work on the farm, and then we have the kitchen boys, the laundry boys and other boys necessary for house work. On the holidays during the week we send all these boys on the farm. Then again, the system I have of dealing with the boys is something like this: When a boy comes as a rule I send him him to the laundry first. They don't like this work generally speaking, they like this least of any work, and when a new boy comes he displaces an old boy in the laundry. I ask the laundry officer to recommend me the best boy in the laundry and I let him go to the kitchen. Then from the kitchen they go to the dining room and become house boys, and from that they go to the carpenter's shop or the farm.

The CHAIRMAN.

Q. Could any considerable number of your boys on being brought before the police magistrate, have been sent back to their parents if they were found to be respectable or reasonably so and placed under police supervision instead of being sent here. Would that in your opinion have been a wise course to pursue as regards a considerable number of them? A. No, I do not think that police supervision means anything.

Q. Perhaps not police supervision, but supervision on the part of regular visitors? A. That would do very well with country boys, but with city boys it would be impossible to maintain the supervision.

Q. You have very few country boys here? A. We have about twenty-five per cent. A good many come from other towns rather than from the country.

Q. Have you many farmer's sons? A. No, but we have a few farm laborers' sons.

Q. Do you think that the Massachusetts' system of putting them out on probation, (this system was explained to the witness by the chairman), would be effective in connection with industrial schools and in connection with the reformatory system as a first chance for young offenders, or for those who are in danger of falling into crime? A. I think that would be very good if the boy were brought before the authorities soon after he has gone wrong, but after a boy has gone as far as nearly all boys go before they come here, after he has forgotten what obedience and submission to authority mean, after he has become quite careless of his parents' wishes, a confirmed truant and insubordinate in school and insubordinate to his parents, I think that the quickest and safest way of bringing him back to a spirit of obedience is to put him in some well disciplined institution where every boy must obey.

Hon. Mr. ANGLIN.

Q. The duty of this probation officer is to take charge of the boys the moment they begin to transgress or shew a disposition to evil and thenceforth keep watch on them? A. I think such a system as this would have the effect of saving more than half our boys from coming here.

The CHAIRMAN.

Q. Do you not think that carrying out the industrial school system to the fullest extent encourages a tendency on the part of the parents to get rid of children who are troublesome? A. I think it does, because there is no proper means of compelling the parents whose children are sent here to pay for their maintenance. If all parents whose children are sent here were compelled to pay for them they would be more careful than they are, but a good many of them look upon it as an easy way of getting rid of their children. For instance, widows wanting to marry the second time find the boys of their first marriage encumbrances in the second household. I have some here now from this cause.

Q. Do you think the probational system along with the suspended sentence and the services of a visiting officer to see that the parents did exhaust all means before taking them to the school would be a good plan? A. I think it would.

Mr. JURY.

Q. But if you insisted upon all parents paying for the children who come here, what would you do with the boys who are criminal boys and whose parents would not favor thir being sent to an institution like this or pay for them? A. In nine cases out of ten, where boys become criminals, it is the fault of the parents that they become so, and the parents ought to be made to pay. But sometimes the parents are dead, sometimes the mother is left a widow and is unable to attend to her children and at the same time earn a living for them. We have had a case where a mother was so anxious that the boy should not go out into the streets, that to prevent his doing so she would chain him up; but where both parents are alive and in health it is the parents' fault and not the child's that he becomes a criminal. Where the parents are dead I think it is the fault of society if the child becomes a criminal.

Q. Where the parents are alive and vicious and dissolute, would you recommend the State to sever the connection between the children and the parents—to take them away? A. I would sever all connection between the parents and the child except this one, that the parents should support the child. And even if the parents are not criminal but careless about the child, I think it is quite a proper thing to take the child away.

Q. Is not even a dollar a week for a child serious charge upon many men with a small income—$52 a year. A. It is not more than the child would cost them at home.

Q. Oh, yes, it is. You know there are lots of working men in Toronto earning but $300 a year, and they have to keep themselves, a wife and four or five children upon this, and they could not pay anything like a dollar a week for the child's support? A. Possibly there are. The magistrate would be the proper person to judge, I suppose, by the evidence in that case.

The CHAIRMAN.

Q. What do you consider to be the chief causes of crime and viciousness in respect to children? A. I think that the chief cause is the lack of a sense of responsibility on the part of parents in the matter of bringing up and training the children, and the spirit of lawlessness—of what is called independence that pervades the community. The parents themselves think that their children are doing a very smart thing when they defy them, and when they utter a little oath they laugh at and encourage them. That is how the great bulk of the parents lose the control of their children. There is a want of a spirit of obedience throughout the whole of this community—a want of respect for authority. I think that the great cause of youthful criminality is this spirit of disobedience and this carelessness on the part of parents as to whether the children are obedient or not. I think there is hardly a boy here who has not been allowed to be disobedient at home. The parents have allowed him to be disobedient—he has not been disobedient in spite of them at first. It is not because they could not make him obedient but because they would not take the trouble.

Q. But do you discriminate between criminal neglect on the part of parents through drunkenness and other causes and mere thoughtlessness? A. I think it is selfishness in either case; because, in the one case the father likes his liquor and he is so selfish as to drink it to the ruin of his family; in the other case the parent, generally the mother, likes her own ease, she is selfish just as well as the father and she won't take the trouble to train her children properly. She does not punish her children, and she thinks by not punishing them she is kind to them when she is really kind to herself and loves her own ease so much that she will not give herself the pain of making them obedient. Of course drunkenness makes everything that is bad much worse.

Q. Do you think it would be proper to punish the parents for their neglect, wilful and otherwise? A. I do. It is as a punishment for this neglect that I would recommend that the parents be made to pay for the children when they are sent to an industrial school. I would try to reach the parents in this way.

Mr. JURY.

Q. By this means would there not be a larger number of parents who would not report their children when they committed a criminal act? A. Well, if there is a proper truant officer this difficulty would be overcome. You will find that a boy who goes regularly to school seldom gets into bad habits. The old proverb that "Satan finds some mischief still for idle hands to do," holds good now as much as ever it did, and although the parent might not report them the officer would.

Q. Have you ever thought the want of proper means of amusement—playgrounds in the city is a means of bringing boys to grief? A. I think it is. Boys must have play. The parents have the choice of keeping them in the house to the detriment of their physical, or in the street to the detriment of their moral health If there were playgrounds in the city and the boys were allowed to play there under the supervision of some officer and all kinds of games strictly prohibited in the streets, a great deal of the evil that now exists would be avoided.

Q. Have you ever considered another incentive to criminality—the second-hand shops, where thieving may be encouraged amongst boys by the purchasing of articles which have been stolen by them? A. Oh, yes; our boys have sold things of that kind in second-hand stores.

Q. Mr. McKinnon told us that one of those incorrigible boys that he had in the institution was brought out by one of these associations in the Old Country. I should like to know where that boy came from? A. It was the Stratford Home, Miss Macpherson's.

Q What means do you take to enforce discipline? A. The boys march. We punish them in various ways suitable to the offence; by whipping sometimes.

Q. Don't you think that it would be better in many cases if boys got a good birching instead of being sent to prison? A. It would.

Q. In your industrial training, in the carpentering shop, in the tailoring shop and elsewhere, do you instruct the boys with a view to their being able to follow these trades when they go out of here? A. My idea is to make them handy lads. My idea is that they should go upon farms, go out to the country, to Manitoba for example, and perhaps keep bachelors hall there. I think a boy should be taught to cook for himself, to mend for himself and to make a pair of socks for himself; to fix up anything that is needed about a farm building, and generally to be independent of other assistance when he goes out to a farm. None of our boys as yet have gone to the trade which they learned here; but it makes them handy, and if they learn one thing once they will pick up anything else a great deal quicker. We try to put any boys who come here through a whole course, and, as I have already explained, we do not confine them to any one special thing; but it is to make them useful on a farm that I aim at by giving them a little training in a carpenter's shop.

Q. Of course that is all very well if you don't intend that they shall follow the trade that you teach them here, but if you did you would have to pursue a different course? A. Well, we don't really teach them anything but the tailoring well.

Q. You profess to teach tailoring? A. Yes; we teach it to some of our boys who have been here two or three years. They can make a very nice coat, too, better than you will get in the average shop in Toronto, that is of the common sort.

Hon. Mr. DRURY.

Q. Then your impression is that your work here is successful as reformatory work? A. I am sure of it. If not perfectly successful it does a great deal of good to the boys.

Mr. JURY.

Q. I understand your labor is more for teaching them habits of industry than teaching special trades? A. Yes, teaching habits of industry in order that they may be able to do for themselves, and take up anything when they leave here.

Hon. Mr. ANGLIN.

Q. Have you connected with the organization or association that controls this institution anybody for taking charge of the boys after their time has expired? A. No, we try to do that ourselves. We are expecting soon to have a visitor to look after the boys when they leave here.

LONDON, August 20th, 1890.

Present—J. W. Langmuir, Esq., Chairman; Hon. Chas. Drury, Hon. T. W. Anglin, Dr. Rosebrugh, A. F. Jury, Esq.

ROBERT MERCER, Gaoler, Chatham, Kent, sworn:

The CHAIRMAN.

Q. When were you appointed gaoler at Chatham? A. In 1872. I was previously sheriff's officer

Q. Have any representations ever been made by the inspectors or others as to the imperfect classification in the Chatham gaol? A. Oh, yes, to the county council, but with no effect.

Q. Do you find that this intermixture of prisoners has a contaminating influence? A. Oh, yes.

Q. Did it ever come to your knowledge that the older or more hardened criminals attempted to teach boys criminal courses? A. I think it is not uncommon. I do not think it is altogether done through malice; it is done through bravado more than malice in my opinion.

Q. You think that an improvement was made in classification of the remaining prisoners by the removal of prisoners to the Central Prison? A. I do. The Central Prison has accomplished a good object. The men who who have been to the Central Prison would almost do anything rather than go back. I recollect a man who asked a judge to give him three years in the penitentiary rather than send him to the Central Prison.

Q. Of those committed for drunkenness last year were many habitual drunkards? A. Yes, a good many of them.

Q. Were they men generally with families? A. Probably about one-third of them. I think they were rather a charge on their families.

Q. What effect has committals to the common gaols to this class of prisoners? A I do not think it has any effect whatever.

Q. Does it act as a deterrent? A. Not a bit, it has no deterrent effect whatever. They come back over and over again.

Q. What would you suggest as a remedy for that? A. I would suggest an inebriate asylum. I look upon drunkenness as a misfortune altogether. I have known men sent to the Central Prison, returned after serving their term there, and within a week they were as bad as ever.

Q. Do you think that sending an habitual drunkard to the Central Prison for two years with hard labor would have any effect? A. It would keep him two years away from drink but I do not think it would have any permanent effect, so far as restraining him is concerned.

Hon. M. Drury.

Q. Have you any means of observing cases which have been treated in an inebriate asylum? A. I have heard of one or two instances in which men have turned out all right.

Dr. Rosebrugh.

Q. Take a class of young men getting into habits of drunkenness; who might be inclined to idleness as well, don't you think that two years hard work would be beneficial to them? A. I think it would, but I think it would be an unfair punishment to a man who goes on the spree: it would be too hard altogether and would be likely to make a criminal of him entirely. It would keep him sober for this time, but he would go back to his old habits. I have seen men sent to the penitentiary and they have not been a bit better when they have come out. I recollect a man named William Bennett who was sent to the Central Prison twice with the hope of reforming him, but it had no effect whatever; he was at it again and again.

Q. How are the poor maintained in your county? A. Some of the townships provide homes for th m in the family relation, but outside of that they are generally sent to gaol.

Q. You had only two or three last year? A. Yes.

Q You are particularly well off? A. Yes.

Hon. Mr. Drury.

Q. Are they committed from time to time? A. They are sentenced for a certain period and discharged, they may be sentenced for three or six months, and then they go out and come back again. Talk about the poor, I have an old lady 82 years of age and she was in a dying condition when she came in. She was committed by the magistrate as a lunatic this year; and I had an old man 92 years of age brought in this year. I had to feed him with a spoon for a long time and lift him in and out of bed; and at last he died. The old lady I refer to was in a dying condition when she came in and soon expired.

Q. Have you a lock-up in Chatham? A. Yes, and police cells.

Q. Is there any classification of the sexes there? A. They have classification to a certain extent, but they have communication and come in contact with one another.

Q. After they are tried at the police court and sentenced to gaol, how are the prisoners sent down? A. They are walked down.

Q. Do you think the gaol a proper place for a young boy? A. I do not think that a boy of tender years should be sent to the gaol at all, that is for a first offence, or first two offences. Trial in open court has a bad effect upon boys.

Q. Do you believe that any great contamination arises from the association of the prisoners waiting trial? A. I think it does a great deal of harm.

Q. Would you go the length of having prisoners waiting trial locked up in a cell all the time? A. That would do a great deal of harm with a certain class of men. I would look upon that as punishment. Solitary confinement is the most severe punishment that we can have in the gaol.

Dr. Rosebrugh.

Q. Supposing that instead of the present arrangement each man had a comfortable room for himself with a small corridor. Would you look upon that as a hardship? A. I would, if it were continued for a length of time. For a week or ten days I should consider it severe punishment. That is the most severe punishment that we have in our gaol. I have a case of a woman waiting trial at the present time for poisoning her husband. She did not get her trial at the last court and she has been in nearly a year, and the best part of the year has been in solitary confinement. The only company she has got is her child there.

Q. What means of religious instruction have you in your gaol? A. Very little, if any. I think the Rev. Mr. Weir, Baptist, and one or two of his congregation come up and talk to the prisoners on Sunday mornings. Once in a while we have a Catholic priest or a Church of England clergyman. If a prisoner asks for a clergyman he is sent for.

Q. Have you a library? A. No. I have asked the county council for one.

The CHAIRMAN.

Q. You have heard a good deal of the Government taking control of the gaols. What are your views upon this point? A. I think the Government should have control of all the gaols. I think the management would be more systematic. We would perhaps have a chance of classification and the gaols would be remodelled. I think that the Government would treat us fairly in all matters pertaining to the gaol; and we would not have Tom, Dick and Harry to look to. They would have an efficient engineer to carry on the work. I have no grievance whatever against the county council. Improvements I have from time to time suggested have been carried out to a certain extent. I have never asked them to remodel the gaol or to pull it down, but I have asked them to make sanitary improvements for me, and I have had no difficulty in getting them done.

Q. I suppose that the county council are aware that you have no means of classifying your prisoners? A. Yes; they have never undertaken any improvement in this respect. The inspectors have pointed this out in their reports. They never said absolutely that they must be done. They never tried to enforce them.

Q. Do you think it would be a better plan to reconstruct the gaol, or to have a prison like the Central Prison here in the west, say in London, to relieve you of all prisoners who are sentenced to a short period? A. I have advocated that. We cannot provide work for the prisoners now, and I think this would be a great benefit to the community at large.

Hon. Mr. DRURY.

Q. What is your idea of employing prisoners committed to gaol, say a dozen or half-a-dozen times. Do you think it would be a wise thing to set them to work on the streets? A. I do. I do not think it would degrade a man any more than he is now. A man committed to gaol six times is beyond degradation.

Q. Had you many boys under sixteen committed to gaol last year? A. I had eight boys and one girl under sixteen, the majority for first offences, chiefly petty larceny. I think only three out of the nine were hardened cases. The majority of the parents were good, but there were one or two exceptions.

Q. How do you account for their drifting into crime? A. Idleness, want of proper training; children allowed to run about the streets and generally to get into idle habits.

Q. Do you think it was a wise course to pursue to send these boys to the common gaol? A. I think not, it was a very unwise course. I think if there were any means of sending them to an industrial school, where boys could be kept from four or five years of age until they reach fourteen or fifteen, that that would be an excellent thing. The older boys I think should be sent to the reformatory or the prison. In the majority of cases it would have been wise if the sentence had been suspended and supervision had been kept over them by an efficient officer, with a warning that they would be brought before the court again if they did not conduct themselves properly.

Q. Have any boys sent to the reformatory come back to this locality again? A. Yes.

Q. Has the general effect of the treatment upon them there been good? A. It has. Some have gone back to their parents and some have left the country.

Q. Have any boys been brought out here by societies from the Old Country, such as Dr. Barnardo's, Miss Macpherson's and Miss Rye's? A. Yes. I can only speak of them from hearsay, but people don't give them a good character. Only one or two of these boys have come to our gaol.

The CHAIRMAN.

Q. What is the chief cause of crime in the community? A. That is a difficult question to answer. I attribute it to the training of the boys. They get into idleness through being allowed too much of their way. I cannot go beyond that.

Q. Are you one of those who believe that drunkenness is a great cause of crime? A. No, sir, I am not. Drunkards don't commit larceny, or burglary, or things of that kind, and the men who commit those crimes don't as a rule get drunk when they do.

Hon. Mr. DRURY.

Q. Take drunken parents who have children grown up without proper restraint, in the midst of neglect and generally in surroundings of drunkenness, poverty, dissipation, do you think that in this indirect way intemperance is a very prolific source of crime? A. Certainly, it has that effect, but I have known a great many instances where the father and mother have been drunkards and the family have turned out well.

Dr. ROSEBRUGH.

Q. We have been told that the parents of one-half the children brought to gaol are drunkards? A. It is not so in my case. Out of the nine children that went to prison last year I think the parents of only two were drunkards.

The CHAIRMAN.

Q. What do you think of heredity in crime. Are you a believer in that? A. No.

Q. Well, you take the case of a boy, the son of drunken parents who have no control over him, do you think it would be simply environment if that boy fell into crime and not hereditary taint? A. I think it is his training.

JOHN MERCER, Sheriff of the County of Kent, sworn.

The CHAIRMAN.

Q. How long have you been sheriff of your county? A. I was appointed in 1853, and I have had about fifty years' experience in connection with the sheriff's office in the western district.

Q. What are your views of the Government taking control of the gaols? I think the root of all the trouble is that the Government have not the full control of the gaols. If they had we would not have the difficulties to contend with that we have now. Since the appointment of the inspector over the gaols there has been a great improvement.

Q. Have you come to this conclusion on account of the parsimony of the county council, or do you believe that it would render more systematic the whole management of the gaol? A. I would be in favor of the change for both those reasons. Our councils are elected every year and one man pulls one way and another man pulls another. If the Government had the control the officers appointed would know just what was wanted, because all gaols are alike and they would be managed on the same principles. A great number of the councillors are farmers, and what do they know about the requirements of the gaols or about controlling gaols. I have contended this for fifty years.

Q. Have you heard that the government is inclined to centralize too much? A. Nonsense.

Q. What in your opinion is the chief cause of crime in the community? A. I think lack of education, children not being properly brought up by their parents; that is the root of most of it. There is a want of care, and the children get into idle habits; the parents don't seem to bring them up as they have been brought up themselves. Still I don't think that this evil prevails to the extent that it formerly did. It is much the same with drinking. There is no comparison of the drinking habits of to-day with those that prevailed twenty-five years ago.

Q. Do you think if a truancy law were enforced that would be a good thing? A. I think so.

Q. Would you go so far as to remove a child from the control of the parents where you find that they are neglecting their duty? A. I think it would be better to remove the child where the parent entirely neglects it and it is floating into criminal courses.

Q. Have you noticed the evil effect of the association of prisoners with each other? A. Oh, yes, decidedly. We generally put the hardened cases on one side and the minor cases on the other, and that is the best we can do. I think that it is very bad for females sent in for small offences to have to associate with old and hardened offenders, prostitutes and drunkards and the like.

Q. Have any representations been made to the council of the defects in this respect? A. Oh, yes; our grand jury goes through the form and the judges tell them that they quite agree with them: and I suppose this is sent to the government and sent to the council, but they don't do anything.

Q. Would you recommend the establishment of a prison of the same character as the Central Prison of Toronto in the western part of the Province? A. Yes; I think we ought to have reformatories and hard labor prisons, where the sentenced prisoners could be kept at work. But even then we would want more facilities for classification in the gaols.

Q. Don't you think sending a boy to gaol has a hardening effect? A. I do; I think the parents should take them in hand, and after that some short punishment might be inflicted. I do not like whipping, I think whipping has a bad effect upon juveniles; I would prefer solitary confinement.

Q. What effect has the bringing of a boy before the open court for a first offence upon him? A. Sometimes it has a very bad effect. I think it hardens them. I should exhaust all other measures first.

Q. Are you in favor of the establishment of a poorhouse in the county? A. I think it would relieve the gaols very much. Old people are sent to the gaol who ought not to be.

Q. Are there many tramps in your county? A. There used to be, but we have very few now; for our police magistrate sends them for six months to the Central Prison, and I am glad to say that this system has a very wholesome effect. They don't like hard work, and for that reason I think they don't like the Central Prison; they would rather have an increased sentence in the penitentiary.

Q. Do you think that if you had another prison in the west on the same lines as the Central Prison with a poorhouse in your county, the gaol would be relieved to such an extent as would enable you to make a better classification of the remaining prisoners? A. I think so, with some structural changes; I think it is very much required, and a reformatory or industrial school to which juveniles could be sent.

Q. Have you ever visited Penetanguishene reformatory? A. I have; I think it is a very excellent institution; I approve of it very much. We have sent a good many boys to it and they have come back reformed.

Q. Would you have a system of suspended sentence adopted in the case of boys brought up for first offences? A. I think I would if it were exercised with discretion, but it would not do where the offenders are habitual criminals, nor would it do in some cases with first offenders; lately we had a man from the other side who was charged with horse stealing, and in his case suspended sentence I am afraid would not have much effect.

Q. What would you think of employing prisoners who have been up half-a-dozen times at work in the street? A. I think it would be a bad thing. It could not be done in the smaller counties for the expense would be too great of looking after them. I don't like the plan. Send them to an institution established for that purpose where they would have means of employment. But that could not be done in small counties.

Q. What do you think of committing people of the drunk and disorderly class to the common gaol? A. I don't think it does them any good. There ought, I think, to be a place for inebriates. Drunkenness in my opinion is a disease to a very great extent. Men cannot resist it, and incarcerating them does no good.

Q. Do you think that long confinement would have a good effect? A. No, I think it is a very difficult question indeed to know what to do with this class. I don't believe in severe punishment for them.

SAMUEL ROETHER, Gaoler, Walkerton, sworn.

The CHAIRMAN:

Q. When were you appointed gaoler for the county of Bruce? A. In January, 1867.

Q. Were the prisoners you sent to the Central Prison last year of the worst class? A. They were not; we have not any very bad prisoners. One was a boy who would not wrong anybody; he did not seem quite level in his head. One was brought out by some of these charitable institutions in the old country; he left his employment because he was not properly treated. The other two were really bad cases.

Q. Do you know what society the boy came out from? A. I think he told me it was through Miss Macpherson's association. I think he is the second or third one of that class we have had during all the time I have been there.

Mr. JURY.

Q. Do you think that these societies keep up a proper inspection over the boys they place out? A. No, I do not think they do, but I have no personal knowledge as regards this; in fact, I may say I know nothing of it, but I have heard a good deal about them.

Q. Is it a fact that this boy ran away because he was not well treated? A. He was not a good boy and he was treated better than he had a right to expect. From enquiries I made I arrived at this conclusion. I do not think they were bad people he was with.

Q. Have you no recommendations to make with a view to the improvement of your gaol? A. No; it is a very good gaol and the prisoners are few.

Q. With your model county, and model gaol, do you think that it is necessary for the Government to take control of the gaol? A. I think it is. The authority is too much divided now. The county council, though they are the best men in the county, are not permanent enough to acquire sufficient experience of matters connected with the gaol. Our county council is from one half to one third new every year, and the committee generally consists of new men who have no knowledge of gaol requirements.

They live in the country and never even see the gaol except when the council is in session. They cannot be so thoroughly posted upon matters affecting us as the Government would be. My recommendations to the council or the committee are attended to as a rule in the end, although there is generally a little delay. When the Government inspector makes a recommendation it always receives attention, but there is some delay.

Q. Are there other reasons why you would be in favor of the change? A. I think that the gaolers would be under a better system, and the gaols would be better conducted in this way. I would have uniform management and uniform discipline. I think that the gaols should be classified as well as the prisoners. I think there ought to be first, second and third class gaols, and rules governing the different classes. This I think would be a great improvement. I think it would be a good thing if an efficient gaoler were promoted from a small gaol to a larger one. It would be an incentive both to turnkeys and gaolers to do their best.

Q. If the inspector of prisons considers your salary insufficient, could he not make a recommendation to the council? A. Yes, he could do that, but I have never had any occasion to appeal to the inspector. I have got such a high salary that I am afraid it would be useless to proceed in that way.

Q. What is your salary now? A. Seven hundred dollars with free house and light and fuel.

Hon. Mr. Drury.

Q. Are you held responsible for the efficiency and good conduct of your turnkey? A. I am. We have had no change for fourteen years, but before that we had four or five.

The Chairman.

Q. What conclusion have you arrived at as to the chief causes of crime in the Province? A. My impression is that idleness is the chief cause of crime. Take a man brought to gaol for petty larceny. If you examine into the case you will find in all probability that he has been idle. It is mostly those who have been brought up idle children that fall into crime. They drift into bad company and drink.

Mr. Jury.

Q. Do you think that habits of idleness are caused sometimes through want of employment? A. My impression is that there is no need for anybody to be idle. I think that everybody who wants work can get it. A good many people will only work at one kind of work, and rather than do anything else they will remain idle, but they need not do so if they are willing to put their hands to something else. I believe that there is work for everybody to do. Through those labor unions even children under 12 years old will not work below a certain scale of wages, but I believe 25 cents a day is better than idleness.

The Chairman.

Q. What is your opinion of intemperance as a cause of crime? A. Well I think idleness leads to intemperance to a great extent, and then intemperance leads to crime. I have seen when I walked along the streets, boys of fourteen to sixteen hanging around the street corner at ten, eleven and even half-past eleven o'clock, and they were doing no good. They go into a tavern and take a horn, two horns or three horns, and from this they gradually drift downwards; whereas if they were at work, they would be tired and would have to go to bed early. Boys should in my opinion be made to go to school, to carry water and split wood for their mothers, and to do other work of that kind. It is often the case that children are allowed to go together too much. If they were compelled to go to school and keep proper hours there would be less crime. If the trustees cannot keep them at school they should be sent to some industrial school or farm where they will be educated and taught to work.

Q. Do you think that there is something inherently wrong with children who fall into evil habits? A. I do not think that there is anything inherently wrong at all, it is where the parents neglect them, fail to bring them up properly that there is danger. I think if parents neglected their duty I would put the children under other control. In some cases the parents are not brought up right themselves and then they see nothing wrong in their children going about the streets and taking a little thing out of a store. I think that these children when they are like this should be gathered up and placed where they can be taken care of, and should never be wholly discharged until they are grown up. Boys sent to gaol, are generally sharp, obliging, good boys, who have through idleness and neglect on the part of the parents drifted into these ways.

Q. Do you think that a great many of those boys should never go to your gaols at all? A. I do. The gaol is not the place for boys. Very few people would I am afraid even for pay take a wicked boy into their homes to care for him. I would send such a boy to an industrial school in preference to a home. You might get a widow woman or a laboring man's wife to take the boy, but I am afraid he would be neglected again.

Q. Have you ever taken boys to the Penetanguishene Reformatory? A. Many boys have been sent there.

Q. What has been the result of the treatment? A. I think very highly of it. I have been there only once since the improvements have been made and before that I liked the institution very much. The boys always came back to me very much better and I have lent them books and encouraged them to follow out the line of good conduct that they had been taught to regard as the best for them at the institution. Very seldom that any one ever came back to the gaol again, but my impression is that there is something wrong in the system that governs the reformatory. They are sentenced there for periods from one to five years. They should in my opinion be sent there indefinitely and never be discharged until the authorities think that they are safe, and then let them go out on parole or good behaviour.

Q. Have you not found some boys of ten, eleven, or twelve years of age as degraded as a bad man? A. I have never seen an utterly bad boy.

Q. How do you take care of your poor? A. Each municipality takes care of its own poor. Very often it happens that people get on the border of another municipality and there is some doubt as to which should really be charged with maintenance and they keep shifting about, and that explains how they come to the gaol. The municipalities should take charge of their own poor and the county pay the expenses, and if they got to twenty or thirty, I would say establish a poorhouse then.

Q. What do you think of the Central Prison treatment? A. I think most of the prisoners who go from our county to the Central Prison are much improved by their incarceration; most of them say they liked it because it did them good.

Q. Do you believe that the Central Prison is as good as an inebriate asylum for the treatment of drunkards? A. I believe it would be well to have an inebriate asylum where drunkards would be made to work and work hard too, until the old man had been driven out of them and the new man had arisen.

Q. What would you do with the inebriate who is a low scoundrel and thrashes wife, sends his children out to beg and to steal; what would you do with him? A. My impression is that you would cure him in nine cases out of ten if he were flogged for it.

Dr. Rosebrugh.

Q. Would you be in favor of another prison in the west like the Central Prison? A. I would. I think the prisoners should be graded in these institutions; one class only should be sentenced to one establishment. The shorter sentenced in one, and the longer sentenced in another. The tramps should not be discharged in my opinion from custody until they are able to make a living for themselves. I believe that hard work is an effective

method of dealing with that class. The tramp becomes demoralized in his nature. As a rule he has neither father nor mother, nor brother nor sister, nor anybody but himself to think of, and I think it is no charity to give a person of that class a rest for a week or two and then leave him to go somewhere else to pass through similar experiences. We have tramps who go through from one end of Ontario to the other, who spend the whole of their time in wandering about.

Mr. JURY.

Q. Have you given a special study to the question of heredity? A. I have a little but not very much. I think there is something in it, but sometimes you get the worst children from the best parents. One boy, I remember, born of the nicest parents that were in the country was sent to the Central Prison, and not long afterwards he was brought back again. My impression is that he is not right in the head. I know his father and grandfather. There is nothing in family. The grandfather drinks a little, but the boy has good parents and good surroundings—parents that any boy might feel proud of. If it is heredity in his case it must have been far back.

Dr. ROSEBRUGH.

Q. Was he defective mentally? A. He seemed to me to be so; he was so heartless. He had apparently no feeling at all. He was clever and light-hearted. He was careless towards his parents, utterly regardless of them, in fact, or of any one who came to him.

WM. SUTTON, Sheriff of the County of Bruce, sworn,

The CHAIRMAN.

Q. When were you appointed sheriff of the County of Bruce? A. In 1867, twenty-three years ago.

Q. What are your views as to the chief causes of crime in the community? A. I think they are numerous. The chief of them in my opinion are drunkenness, evil associations, idleness and natural disposition. Of course there are others, but I should say that these are the chief.

Mr. JURY.

Q. Tell us what you mean by natural disposition? A. It is inherent in the natural organisation.

The CHAIRMAN.

Q. Then you think there is such a thing as heredity? A. Yes. I do not know that drunkenness will be transmitted, but I think it would arise from parents who have been engaged in criminal pursuits, and it might possibly arise through a want of sufficient controlling moral sentiment being transmitted. They have it on record that men who are confirmed murderers could not be anything else but murderers. Their organisation; their propensity in this direction is so great that they have not sufficient moral power to control themselves. These may be the exception rather than the rule, but at all events that is my impression.

Q. If a child of such parents were severed from the associations at an early age and placed in associations of highly moral character, what do you think would be the effect? A. I think the tendency would be to make this disposition or propensity dormant. It would develop the moral to the disadvantage of the evil propensities that the child inherited.

Q. Have you noticed this tendency to criminality in your county in the thickly settled places? A. I am going on general principles. I cannot particularise any one case.

Q. Your gaoler has told us that structurally he has all the means he requires for the proper classification of prisoners? A. When there is a limited number of prisoners, possibly he may effect a proper classification, but neither our gaol nor any other gaol is arranged for proper classification. I don't approve of sentenced prisoners of any description being kept in the common gaols. It would be a wise change if they were merely used for purposes of detention. I would change the name of them to houses of detention. I do not think the untried prisoners should be put into a cell at all. A man waiting trial would have to be put in safe keeping, but I would allow him all the liberties that could reasonably be afforded him. I look upon putting a man waiting trial into a cell as wrong, because it is punishment. After a man is found guilty and sentenced he should be put in an institution, the business of which would be to better him. I would call it a reformatory. My impression is, I don't care how bad a criminal is, no matter how low he may have sunk, there is a possibility of accomplishing a reform. Three reformatories, I think, would answer better than a larger number. I would have them on the most improved plan, officered with the most experienced men, with a view to the reformation of the criminals. Every criminal sent to these reformatories should undergo a special examination. His history and his character should be thoroughly enquired into with a view to deciding what means would be most effectual for his reform. I do not go in for excessive punishment, except where it is absolutely necessary in some obstinate cases. I believe that kindness and good moral training would tend more to reformation than any severe measures. With few institutions the system would be attended with less expense and a better class of managers could be secured. I would have the opportunity afforded for classification and I would leave the officers to decide as to the means to be adopted for the reformation of each particular person, and make it depend entirely upon the good behavior of that person what progress he made in the institution.

Q. What would you do with a prisoner, who, after several trials still remained a criminal and followed criminal ways? A. I would make this an industrial, as well as a reformatory institution and I would keep him there for the good of society. When men become so depraved that they cannot govern themselves there is no alternative, I think, but to take care of them and they should be taken care of permanently.

Q. Who would have the authority of making the examinations and of determining all this? A. I would have that done by a competent man who would govern the institution; I think this is a most important consideration.

Q. Have you not noticed that some of the worst criminals make the best prisoners? A. That might be; but if you get an expert in charge his judgment would be keen enough to detect this.

Q. You are giving just now what is known as the Elmira system? A. I am not aware personally of the system that you mention. I only state my own theories arising from my own observation.

Hon. Mr. Dickey.

Q. Your idea of the treatment of a criminal is that the only thing you should have in view is his reformation? A. It should be entirely reformatory. There are some men naturally criminal, and they deserve our sympathy rather than our condemnation and punishment. In this respect I think that great service would be done to society.

Q. Do you think that there is danger of officials, even experts, being at fault as regards the treatment of some cases? A. It is quite possible that they may occasionally

be at fault, but this would not destroy the value of the system. For one case in which the experts might be imposed upon there would probably be a thousand where they would not.

The CHAIRMAN.

Q. Now, you think the system of sentencing criminals to certain fixed, definite periods altogether wrong? A. Yes, because I think that a prisoner ought to be liberated on the strength of his good conduct and good behavior, and the progress he has made in an institution of a reformatory character.

Mr. JURY.

Q. Don't you think that there are men in London, New York and other large cities who select crime as a profession? A. I have no doubt of it, but I do not think that men of that description would care about the treatment of the reformatory I have mentioned, and which, I think, would have a very deterrent effect, because if they were sent there they would have to remain there, or they would have to show evidence of improvement, and they would have to conform to the rules before they obtain their discharge.

Q. The very worst men are often the best prisoners. Would not this system encourage this class of men to a rigid observance of prison discipline and rules, to make themselves seemingly model prisoners without accomplishing any real reformation? A. Well, as I have said, this would be the exception rather than the rule.

The CHAIRMAN.

Q. I suppose you would have discharge on probation? A. Yes, I would make that a part of the system.

Q. If some felon who managed to conform to all the rules of the institution committed other crimes when he got out, what would you do with him? A. I would put him through the hands of the experts again, and then I would remove him from that institution and put him in another which would deal with men of the incorrigible type, that is the kind of classification I would have. I would go in for detaining for a very long period, perhaps permanently, a man of this description.

Q. Can you imagine a man tempted to commit a crime, by which he would obtain possession of say $5,000, and saying to himself "I will secure this money and under this reformatory treatment I will obtain my release by good conduct in a very short time. I will put this money in a safe place where I will get it after I serve my time"? A. That might be, but there is no certainty that he would get out in this time. The rules would be sufficiently severe to make it no light matter for a man to undergo a period of treatment for crimes of this description. But there again the judgment of the experts would have to be taken into account.

Q. Are you in favor of the establishment of poorhouses? Q. I do not think that poorhouses are good institutions for a country of this kind. They create a spirit of dependence; there is only a small number of this class of people in the country, not enough to justify the outlay on the erection of a building of that kind and for its maintenance.

Q. What would you do with such old creatures as we saw down stairs this morning, one, an old woman, 87 years of age? A. I think they ought to be maintained by the community. I think they ought to be taken care of, and the gaol is no place for them.

Q. Would the gaols be better in the hands of the government entirely, or under the control partly of the government and partly of the county council, as at present? A. I think they ought to be under government control. We have an inspector who has studied gaol management, and is capable of suggesting improvements in the management of the gaols. The county council are men who have had no experience in that line. I

think it would be much better if the whole were under the management of the government. It might not please some people, but I think it is for the interests of the prisoners and for the interests of the state.

Q. Do you think that the common gaol does any good to the drunk and disorderly? A. I do not. But a drunkard who neglects his wife and family I would treat as a criminal. I go in for the reformatory system with them as with others. I look upon the cause of crime as the thing that ought to be dealt with, rather than the effect. My impression is that our school system is at fault. Probably my ideas, as I am giving them in evidence, may be regarded as somewhat visionary; still, whether they are so or not, I will mention them. I think that in their younger years our youth should receive good moral training; should receive a sound moral and hygienic education, so that they will know how to take care of their minds and bodies; I do not mean sectarian, moral training; let them understand the difference between right and wrong without reference to any religious denomination or body. I think, too, there ought to be some change with reference to our marriage arrangement. People get married who never ought to get married, and we have criminals made on this account, and diseases propagated, diseases of every kind, including lunacy. I think that before the state consents to grant a license, it ought to insist upon the contracting parties undergoing an examination I contend that if there are constitutional defects, mental or physical, the license ought to be denied them. I go further, and say that the contracting parties should enter into a contract with the state, so that if there were any neglect, through licentious or improper habits, the state should take hold of them, and it would not be necessary for a woman to make a complaint against her husband in the court, in order to get release or separation. Whoever are suffering from incurable diseases ought certainly to be debarred from marriage. Our school system just means this: That our children learn so much geography, so many dates and facts which tax the memory, without any direction being given them as to their proper conduct in life. I think the school system is defective on that score, and that is the reason I suggest a moral training for the children, with a view to elevating their moral faculties and decreasing their evil propensities.

Hon. Mr. Drury.

Q. In other words, would you exercise the same kind of supervision over the human race that a good breeder would exercise over the cattle on his farm? A. Precisely so. There is another matter that has impressed me, and it is in reference to the children brought from the Old Country out of these homes. I certainly think this ought to be prohibited, when it is found that these children are the children of criminals. There is, no doubt, a good many of them are healthy and well conducted, but there are others who are a sort of danger to the community.

Mr. Jury.

Q. You think that the importation of these children brought from the slums should be stopped? A. I think so. I think statistics shew that our lunatic class and criminal class is on the increase in this country, and I think it will be necessary to take some general means of putting an end to this importation.

The Chairman.

Q. Do you think that if there is room for children of this class being absorbed in the country it would be well for us first to look after our own children, instead of giving up the places to the imported children? A. That would be the first thing. So long as these children are imported they perpetuate this evil state of matters, but I would go to the root of this. I advocate a change in the marriage laws.

Wm. Dickson, Gaoler, Goderich, sworn.

The Chairman.

Q. When were you appointed gaoler at Goderich? A. I was appointed turnkey in in 1864, and gaoler in 1877.

Q. What do you regard as the chief cause of crime? A. The great factor in producing crime with the great bulk of prisoners who come through my hands is drink, in my opinion. I come to the conclusion, from their own statements, and the condition in which they are invariably brought in. It is self evident that they are drunkards.

Q. Does this apply to such criminals, for example, as housebreakers? A. We never come across them. The class of criminality that I speak of as generally accompanying drunkenness is petty larceny, assaults and the like. I would say, too, that the forced system of overcrowding in our gaols is productive of much crime; it has a very bad effect. It is worse certainly upon the young, but I think all classes are affected by it.

Dr. Rosebrugh.

Q. Could you give cases? A. I could. I will just mention a case which struck me in particular. A young man sent in for being drunk and disorderly, got two weeks for this offence, and in the ward he was put into were five others; three of them were strangers to me. They were certainly pretty hardened characters, and that young man before eighteen months went round, was sent to the penitentiary for forgery. I should say, too, that children should be made to attend school regularly. I would favor the establishment of industrial schools for boys, under the direction of the government. More classification, or facilties for classification, should be given. The two most prominent evils in connection with county gaols requiring immediate remedy are first, more room, and second, to give the officials fewer masters.

Q. What is the population of the County of Huron? A. It is estimated at about 80,000.

Q. How do you account for it that during last year out of 80,000 people only two under 16 were committed to the common gaol? A. I do not attempt to account for it.

Q. What are your chief towns in the county? A. Goderich, with about 4,000; Clinton, Seaforth, Wingham, Exeter.

Q. Do you not think there are just as bad boys in a village population as in a city population? A. They don't come to me. These boys, with very few exceptions, come from the country, sons of farmers who have gone astray. There should be poorhouses in every county where provision can be made for the old and indigent, some of whom are committed as insane because they are so feeble that they are unable to take care of themselves, and they are left to die in gaol. I would advocate, too, the establishment of a similar institution to the Central Prison in the western district.

Q. Do I understand that you would recommend the government to take over the gaols entirely? A. I would not like to say *in toto*, but they should provide sufficient accommodation to classify prisoners and look after the sanitary condition of the gaols.

Q. Do you find that you have to importune the committee of the council a good deal in order to get your wants supplied? A. I cannot accuse my council of needing much importuning. I usually draw up my requisition, and the sheriff invariably puts forward my request, and I have no trouble. I suppose, in reference to the improvement of discipline and general management of the gaol, that greater uniformity will be secured by the government taking control, entirely for this reason I would recommend government control. For the tramps, I would recommend that they should be dealt with harshly. Hard work and short allowance would be my treatment for them. I would keep drunks for periods of six months, and would have the law changed to make this legal punishment.

Q. You recommend the construction of such a prison as the Central, in the western part of the Province. Do you think that would enable you to make a better classification of the prisoners committed to your gaol, without the necessity for the construction of more wards? A. I am very doubtful. But if such a prison were established, and we could remove those prisoners who are under sentence for thirty days, it might give us the necessary relief. In the case of any one sentenced to thirty days I would send him direct to the Central Prison. For the treatment of the habitual drunkards, I would recommend a separate ward in the Central Prison, where they could be sent, and special work provided for them.

Q. Have you any religious instruction in your gaol? A. We have no regular ministerial work in the gaol, but we have a young man who comes in to visit the prisoners once a week.

Q. Have you a library? A. No, I have asked for one until I am tired and I don't like to ask any more.

Robt. Gibbons, Sheriff of the County of Huron, called and sworn.

The Chairman.

Q. When were you appointed sheriff? A. In November, 1873.

Q. Have you a lock-up in Goderich? A. We have in connection with the police court. They have a constable always in attendance.

Q. How are the prisoners who are committed brought to the gaol? A. They are all marched down from the lock-up accompanied by the constable.

Q. Is there any means of classification in that lock-up? A. I am not aware that there is. I think there are one or two cells. I believe the sexes can be kept separate.

Q. Are boys committed for a first offence brought before the open court? A. They are generally brought before the mayor and sent so many days to gaol.

Q. Do you think that there is any necessity of the Government assuming control of the common gaols of the Province? A. I think in many places there is a necessity for it. If there is any improvement that would cost a large amount, and it has been recommended by to be carried out, no notice of the recommendation has been taken by the council. There is always a gaol committee that takes cognizance of smaller matters, and these are generally left with the county clerk, the gaoler and myself to deal with. The gaoler goes to the county clerk who is always on hand. He recommends, or requests rather, to have a piece of whitewashing, or a bit of carpentering, or repairs to the wood work carried out, and when this is done he presents the bill to the county clerk and it is submitted to the next meeting. Ordinary repairs, clothing for prisoners, and everything of that kind, they generally give the warden sufficient power to authorize, after consultation with the county clerk. As regards all those things required for the gaol, we have no complaint to make at all.

Q. You have heard your gaoler state just now that you have not got the means of classification at your gaol that you ought to have. Have you noticed the evil effect of this improper classification on prisoners? A. Only through some of the prisoners themselves that were sent in there, such as those who were committed on judgment summonses. It is not necessary for them to be placed in the same corridor or grouped with criminals; they are simply there on summonses for debt. I think if there were a house of refuge within the limits of the county that would relieve us to a great extent.

Q. In order to have what you conceive to be a perfect classification how many corridors would you require? A. I have always said that the means of classification is most defective; the highest number of prisoners that we have had was twenty-five, and we had just twelve cells.

Q. In order to get a perfect classification, your gaoler says you would have to get ten corridors. Would you recommend the removal of the prisoners to a central prison, or the enlargement of the gaol? A. I think an industrial prison would be the best, because they would always have a staff there able to look after all these fellows. They could manage them much better than we could; they would be under Government control altogether. It is not possible to have a system of hard labor in the common gaol. I was glad to keep the gaol clean and get a little wood cut. Idleness is a great evil in the gaol, and causes much trouble. I believe in the truth of the old saying that Satan finds some mischief still for idle hands to do. It is a great cause of trouble, more particularly with these tramps—people who are guilty of petty larcenies, idle, lazy, indolent people, who simply go there to get their grub Associated idleness is one of the worst things in gaol life, because they put their heads together to scheme to get out.

Q. How do you take care of the poor in the County of Huron? A. In the county of Huron each municipality is supposed to contribute to the cost of its poor. They have been on the rates for some time, but a good many find their way to the gaol. We cannot very well refuse them when once they are committed.

Q. With a proper house of refuge, and an industrial prison in the west, would your gaol answer your purposes as it is now? A. I think it would answer every purpose. We would be able to keep our prisoners waiting trial away from the others and those charged with the more serious offences by themselves.

Q. Have you often prisoners charged with serious offences? A. We have had three parties in for murder since I was appointed sheriff fifteen years ago, one of them was insane.

Q Have you any suggestions to give to the Commission? A. I have thought more about getting the prison in such a state that we could classify our prisoners than anything else.

Q. Have you heard of the boys who have been imported into this country by Dr. Barnardo, Miss Macpherson and Miss Rye? A. I have. They have turned out well, many of them.

Q. Don't you think that by taking proper means we could absorb many of our own little boys who are now thrown into criminality? A. I think many of them could find work in the country for whom there is no employment in the towns, and with the system of education now in force, no one need go uneducated. I believe it would be a good thing to take these boys from the police court and send them out, for there is a great demand for such children in the country districts. I do not see why we should not do this if we could get the system. If you had some body like Dr. Barnardo it might be done with success. Why not have an industrial school to give them education if it were found necessary.

Q. Do you know from your own observation how children have been treated who have been taken out in that way? A. I have heard of some who did not turn out well, while I have heard of others who have.

Q. But with regard to the treatment of children by those who have taken them, have you heard any complaints? A. I have heard no complaints. They were treated as if they were members of their own families; sent to school and properly cared for.

Wm. Dickson, recalled.

The Chairman.

Dr. Rosebrugh, wishes me to ask you whether you have known of any case in Goderich gaol in which a girl was corrupted by association with prostitutes? A. I have known one case.

J. C. Iler, Sheriff of Essex, sworn.

The Chairman.

Q. When were you appointed sheriff? A. In January, 1884.

Q. Do you think that the indiscriminate association of prisoners has a bad effect? A. No doubt it must have. I have known some cases. We get boys there for first offences and they have to go in with confirmed criminals. These old ones train the little ones all the time. They take a delight in it. I had one boy taken away where he could not be contaminated by another prisoner. This is very bad, but the worst case is that of the insane, of whom we have had as many as eight at one time. These go right in with the other prisoners, and it is impossible to give them the care they ought to have. We get some decent people too committed for contempt of court. We have all kinds mixed together, all kinds and all colors.

Q. What effect has Central Prison treatment had upon those sent from your gaol; A. It is a terror to evil-doers. I have heard them ask the judge to give them a longer sentence so that they might go to Kingston rather than a short one to the Central Prison.

Q. If you were to recommend a remedy for the existing state of things, and two courses were open, to construct four more corridors, or to have an industrial prison in the west, of the same kind as the Central Prison, to which prisoners might be sentenced for periods of from twenty to thirty days, which would you recommend? A. In our case I would recommend the additional corridors. We get rid of nearly all our prisoners; anything over two months go to the Central Prison.

Q. If, instead of having such a large number of civil prisoners you had sentenced prisoners, would you say it would be better to have an industrial prison? A. Certainly

Q. Are there any prisoners in the gaol who ought to be in the poor-house? A. There are a few but not very many. In Windsor we have a home for the friendless; that takes in a number of old people. They have over twenty there. I think that if we had sound, hard work, that would have a tendency to cure vagrancy. We have men periodically, who go from gaol to gaol. They will get twenty or thirty days, as the case may be.

Q. Do you recommend the putting of hardened criminals who have been in a great number of times to work on the streets? A. I would recommend them to be placed at something besides eating and drinking, which is all we have for them to do.

Q. Are you of belief that the government should take over the control of the common gaols? A. No. I have no fault to find with the present system. No difficulty in getting any reasonable demands met.

Q. It is stated in the inspector's last report that the sanitary condition of the gaol is so bad that the gaoler and his family were suffering from illness. Was this represented to the council? A. Oh, yes, and the council have since put in a ventilator big enough to ventilate the whole county.

Q. Will it ventilate the gaoler's malaria? A. His health is as good as that of anybody in the county.

Q. Has there been a proposal to increase the accommodation of the gaol? A. All that has been done has been a little talk. I spoke to the county council about it at the last meeting. I think we could get the accommodation without much expense. The county clerk having now removed to Windsor, I think his offices could be utilized without very much expense.

Q. Your gaol was reconstructed twelve years ago was it not? A. It was.

Q. What in your opinion is the chief cause of crime? A. I think Josh. Billings has it down pretty nice.

Q. "Pure cussedness"? A. Yes. A great many in our county come from the other side; in fact, the majority of our criminals are from the other side. We are not responsible for that. I am glad to say that there is not one-tenth of the population of our gaol belongs to our own county. Of the prisoners there are fifty-eight from the United States—about one-third. They are professional crooks who make up the worst class of prisoners; burglars, robbers, and forgers. Not many of them are extradited. We have one now whom we are trying to extradite.

Q. Have you any suggestions to make to the Commission in respect to prison management generally or to your own prison? A. There is just that one thing, that we cannot find room for classification. I suppose the primary cause of crime in our county, as in some others, may be set down to drink, but a good deal of it with us is on account of Detroit being on the other side of the river. Speaking from my own observation and idea of the matter, there must be four-fifths of the crimnals who trace their downfall to drink.

Dr. Rosebrugh.

Q. Have you many boys passing through your gaol? A. Not many. Only two or three weeks ago we had one who is about thirteen years of age committed for throwing stones in a car window. A birching might have been more effective. He had not been to gaol before, but he has been before the magistrate several times; there was another, a boy of thirteen, in for stealing money recently, a third offence. He said it was the man's own fault. He went to his master for his wage, the wage was put away and he took the money. He was sent to the reformatory for a year.

Patrick Kelly, Gaoler, London, sworn.

The Chairman.

Q. When were you appointed gaoler? A. In July, 1883. I was turnkey since September, 1861.

Q. How many prisoners had you removed to the Central Prison last year? A. Fifty-four. These were generally of the worst class. Seven of the worst men were sent to the penitentiary. We generally remove those who are able-bodied, who are sentenced for two months, and sometimes under that time, to the Central Prison. Sometimes they were so overcrowded there that they did not require so many. The Central Prison by receiving these prisoners relieved us of a class who would otherwise have made it more difficult for us to manage the gaol. The Central Prison is a place that none of them like to go to if they can possibly avoid it. Some of them would rather take a longer term and be sent to the penitentiary; others, however, say that they get along all right in the Central Prison so long as they behave themselves. Several of these prisoners came back again; the Central Prison treatment did not cure them.

Q. How many of the 1,042 prisoners committed last year were drunk and disorderly characters? A. 542 were charged with that offence. A good many of these were recom-

mittals A great number had been working on the railway within a year. This new railroad from Woodstock gave them employment in the summer months. They were mostly unmarried young men A great many of them were habitual drunkards.

Q. Instead of sentencing these fellows for a couple of months to the common gaol, how would it do to sentence them to the Central Prison for a pretty long period and give them plenty of hard work? A. For married men that is only punishing the families. Most of them get drunk and go to gaol and then their wives hunt up money and get them out if they can, and they may keep sober for a while and then of course they support their families. Several of them are just committed over and over again. I have quite a a number who have been committed from 20 times up to 70.

Q. What kind of treatment would you recommend for that class? A. The best kind of treatment would be plenty of hard work in the Central Prison. They should be committed for lengthened periods.

Q. Would you have any hope of this permanently curing their drunkenness? A. I really can hardly say; several of them have been very close upon twelve months here, and they have gone back and been just as bad as ever.

Q. In those 542 commitments how many persons would be represented? A. Last year we had 98 that had been committed twice, and 26 had been committed three times; 20 had been committed four times; 7, 5 times; 3, 6 times; 2, 7 times, and 1, 8 times. This reduces the 542 commitments down to about 290 individuals.

Q. I see that you had 189 vagrants last year. What class of people were these? A. The majority of them were old, and a good many were people without homes or means of support. They principally belonged to the city. Several of them would have been more properly committed to the poorhouse.

Hon. Mr. Drury.

Q. You have a poorhouse in London? A. We have a couple of poorhouses, one in Strathroy.

The Chairman.

Q. You say that notwithstanding the establishment of a poorhouse at Strathroy, and two in the city, one Roman Catholic and one Protestant, a considerable number of poor and indigent persons were committed to the common gaol; why is this? A. The reason is that there is no law to compel them to stay in the poorhouse. They prefer the gaol to the poorhouse, the reason I cannot tell. I have known some go to the poorhouse, take the clothes and then get committed to the gaol afterwards for stealing the clothes.

Q Say that of these habitual drunkards the larger number had been sent down for long periods to the Central Prison, say that of these vagrants a certain number had been sent to the poorhouse, and that the lunatics had been sent direct to the asylum would you have been able to classify your prisoners then in the common gaol? A. I think we could give them a good fair classification then; but as things are now we are apt to be crowded out. The prisoners that we have at the present time it is easy to classify.

Q. What effect has this improper classification of prisoners. Are there many prisoners lost by this contamination. A. As far as my observation goes, those associated in gaol keep up the associations when they go outside. I think this is a very great source of trouble. As far as we possibly can in the gaol we keep the bad and the good separate. It often happens that some of those in for first offences are about the worst characters that we can get. When we find out that they are very bad we generally separate them from the others, and as for the boys, as a rule I keep them in a ward by themselves, as long as we are not overcrowded, and if we are overcrowded I generally turn out some of these old vagrants.

Q. How is it with the women? A. We keep prostitutes separate from the other women as far as possible, but when we have insane persons occupying these wards, they have to be huddled together with the prostitutes.

Hon. Mr. DRURY.

Q. Are those vagrants committed on warrants? A. Yes, for periods of from three to six months.

Q. Do you always discharge them when the period is served? A. Yes. In some cases they come back regularly and are practically permanent residents of the gaol; they live and die there There is one old lady 87 years of age who has been there a long time.

Mr. JURY.

Q. Do you know the reason why the magistrate commits them as vagrants? A. I believe it is because he can give them a longer term than he could for drunkenness. I have never known any male prisoners sentenced longer than six months, but they have sentenced females twenty-three months.

Q. Are people committed here for medical examination on account of insanity? A. At present we have only two.

Q, Has there been any difficulty in that regard for want of room in the asylums? A. There has been on some occasions. On other occasions the superintendent of the asylum has kept them back, saying that they were not fit subjects for asylum treatment. They don't have the accommodation at the asylum all the time.

Q. What was the general character of the 27 boys committed last year? A. Some were as bad boys as you could get and others were good, so good that they ought not to have been in gaol. They were committed for larceny principally. Some of them were charged with vagrancy and some with minor offences; none for stealing rides on cars, we don't have any boys for that.

Q. What effect has gaol commitment on boys committed for the first time? A. I have known boys on whom it would have had the greatest effect in the world. They would cry all day and all night long; but when they remained in gaol they got used to it and became hardened. It seems to be general that when a boy is committed for the first time he takes it to heart, but by and by he becomes callous. I think it is better to save boys from being sent to the gaol for first offences, if they have parents so enlightened as to take care of them properly, or if not, I would send them to an industrial school. Sending boys to gaol has a bad effect upon them. I have heard of boys having been looked upon as little kings by their comrades when they have been in gaol. Several of those 27 boys might have had suspended sentence passed upon them. We have had some liberated on suspended sentence. The result has been that they have not returned. Some hardened ones have been removed from the city altogether in order that they should not go to gaol.

Q. As a general thing what were the conditions of the parents of these boys? A. I do not know many of them, but some of them were very low bad characters. It is through their neglect that the boys have fallen into these criminal habits

Q Do you think from your knowledge of these boys' characters that they could have been drafted into the farming community if they were taken in time? A. City boys won't go into the country on farms; that is generally found to be the case where they have been tried. The boys congregate together in the streets in the evenings and at nights, and they have so much fun as they call it, that when they are sent into the country they cannot bear to be deprived of all this.

Mr. Jury.

Q. Have you enquired into this very extensively? A. I have pretty extensively.

Q. Have you heard that the farmers make little drudges of them—slaves of them, and that they don't like farms on this account? A. I know some taken from the home out here and they have been hired to farmers, but I have not heard of any complaint of that kind.

Hon. Mr. Drury.

Q. May not this arise from the fact that they had never been tried at farm work at any time before, and they have resented the attempt to get work out of them? A. No, they have been at work before, My opinion is that it is due to the association together of the boys around the city, they don't want to separate.

The Chairman.

Q. Do you think that suspended sentence with strict police supervision over the boy, to be followed immediately by removal to the reformatory if he fell into evil courses would have a good effect upon these juvenile criminals? A. It would have a good effect upon many of them. Certainly it would be better than sending them to the common gaol, because the gaol makes them hardened in the first instance. I think if they must come to the gaol I would recommend solitary confinement for twenty-four hours and a birching, and then they should be turned out before they became callous.

Q. Have you noticed the effect of the reformatory upon the boys you sent to it? A. Some of them have been back here on several occasions, and some of them have gone back to the reformatory again. A week or two ago we sent one up there who had been there before on two separate charges. He asked the judge as a privilege to send him back there again.

Hon. Mr. Anglin.

Q. How long had he been in the reformatory? A. Three years I think.

Q. What was his age? A. Fourteen or fifteen.

Q. What could you expect when turning a boy adrift at that age? A. He did not seem to be greatly benefited by the reformatory.

The Chairman.

Q. What kind of parents had that boy? A. His parents are dead. I do not know anything about his father.

Q. Did these boys sent to the reformatory learn trades? A. Yes, one is a tailor working at his business; in fact I think two of them are tailorss.

Q. Is there any stigma attached to them? A. Not a bit.

Q. What is your opinion about prisoners; are they habitually lazy or would some of them rather work? A. My experience is that the prisoners with few exceptions would rather work than be long idle in the cells. The vagrants are the exceptions. They can stand any amount of idleness. They sometimes get run down into a dark cell for refusing to work; this brings them to their senses. When they come to their senses I take them out and give them work. My plan would be to put tramps and vagrants at hard work.

Q. Is there any good hard honest work done in the gaol in the way of cutting wood and breaking stone? A. There is not what is called a day's work; they do not perform so much labor as a man would do if he were paid for it.

Q. Then if a man is under sentence for hard labor it is a mistake and a misnomer to call it such? A. It is not hard labor.

Q. Do you think it is possible to provide a system of hard labor in the gaols? A. It is impossible. My idea is that hard labor would be better carried out in other prisons constructed for the purpose and possessing all the appliances for it.

Mr Jury.

Q. Do you think that it is possible in any prison to make a man do as much work inside the gaol walls as he would do outside? A. No; all the work you can get out of a prisoner must be coaxed out; you cannot force prisoners. If you cannot do it by fair means you will not be able to do it at all.

The Chairman.

Q. What are your views of the government taking control of the gaols? A. I think that the government should have them altogether unless there is more accommodation; I mean unless there are work-houses established and more room is given for classification

Q. Do I understand that if another Central Prison were erected in the west, and work-houses, or houses of refuge were organized in each county, so that a great number of prisoners would be drawn away from the common gaols, it would be well to leave the gaols as now in the hands of the government and the municipalities together? A. I think it would be as well.

Q. Have you any difficulty in getting your ordinary wants supplied? A. Not in the least. I make a requisition, get the sheriff to sign it, and forward it to the council and get what I want. This includes bedding, blankets, supplies for dietary, and all those things that form our usual necessaries in the gaol.

Q. Supposing you want ordinary repairs done? A. We have a committee who visit the gaol three times a year, and if structural repairs are required, they have the power to order these things to be done. They probably lay the matter before the council and the council will pass upon it one way or other. Sometimes the repairs are attended to and sometimes they are not. That is the only reason I would change the system. If the gaols were in the hands of the government, the inspector would report upon them and the thing would be done.

Dr. Rosebrugh.

Q. Would there not be more system if all the gaols were under the control of the government, and would there not be a field for the promotion of the gaolers? A. Yes, it would be beneficial in that way; it would have a good effect upon turnkeys and gaolers both; it would be an incentive for them to work for a higher position. There are some turnkeys who would not be in the gaols if the gaolers had the appointment of them in all parts of the country.

Q. Don't you look upon stone breaking as a good means of employing prisoners? A. It is a good means while they are here. If we hadn't this for them they would be in idleness.

Q. Have you any association here for looking after discharged prisoners? A. No, sir. The Women's Christian Association sometimes find employment for the women; they sometimes exercise care over them after they leave. This has a good effect, but sometimes they turn again to drunkenness and prostitution.

Q. Have you any method of religious instruction on Sundays? A. We have services every Sunday afternoon by different denominations. The Ministerial Association take it in turns. We have no library; the Young Men's Christian Association supply a great deal of reading matter. They bring armfuls of books down.

Q. Do you find that religious instruction has a good effect upon the prisoners? A. Yes; in some cases I have noticed that they make more fun of it after they go back than if they were away altogether, but they generally pay good attention while the service is going on, and when they go back to their cells they make comments upon it; but I believe in some cases it does good.

The CHAIRMAN.

Q. We have asked all the gaolers what they believe to be the chief cause of crime; what do you think are the chief causes of crime? A. I have heard some gentlemen say that idleness is the chief cause, but I think drunkenness is; it produces all kinds of crime, with the exception of burglaries and such like. In the first place, drunkenness creates idleness; in some cases from idleness it goes into greater drunkenness, and finally the man who has been a habitual drinker commits other crimes.

Q. Are most of the men and women who commit larcenies drunkards? A. Yes; I have got two men under sentence now, one charged with house breaking and larceny, and the other charged with horse stealing; the one charged with house breaking and larceny is a fine looking young man if he could only get over the drink. We get very little drunkenness from the outside. Our principal drunkenness is from the city, and the principal crime is from the city.

Q. You say that drunkenness produces all kinds of crime, except those of the higher order, committed by what is called the professional criminals? A. The professional criminals require to be sober men during their operations, but after they make their hauls they turn in and spend their money in various ways.

Q. What would be in your opinion the best method of trying to reach this drunken class? A. The way to get at them, in my opinion, would be to give them long periods of imprisonment under the indeterminate sentence. I would keep them in prison until such time as they had reformed before granting them their discharge.

Q. Would you wait until they had committed their third or fourth offence before doing that? A. Yes; there are many brought in for a first offence I would not send to gaol at all. There are many men going home quietly who fall across a policeman and he locks him up, and thus they come to be sent to gaol through being unable to pay their fine.

Q. Have you observed in regard to little boys, that the second-hand shops where they buy these goods has a bad effect? A. They have a bad effect upon young and old: people take stolen goods to these establishments and get rid of them for what they can get. If boys were not able to dispose of their stealings they would not be so apt to steal.

WILLIAM GLASS, Sheriff of Middlesex, sworn.

The CHAIRMAN.

Q. When were you appointed sheriff of the county of Middlesex? A. In 1858.

Q. What do you think is the chief cause of crime? A. The first is drunkenness: next, perhaps the most fruitful cause is want of care on the part of parents of their children. If greater care were exercised by the parents and guardians a great deal of crime would be nipped in the bud. Children may be allowed to run frequently at large in the day time, but I think at night they should be carefully kept in. I would suggest that you should have some authority properly constituted to take charge of boys after a certain hour.

Hon. Mr. DRURY.

Q. I have heard that they do this in the town of Berlin, in the county of Waterloo? A. Yes; it is a good plan to nip crime in the bud.

The CHAIRMAN.

Q. Would you go so far where parents neglect the child—allow it to run wild—to fall into criminal habits—would you go so far as to separate this child from the parents? A. I think I would, after giving them warning once or twice.

Q. Are you of opinion that the common gaol is the proper place for a large proportion of these youngsters? A. It would be a last resort certainly, so far as I am concerned. It seems to me that to give these children solitary confinement for a day and a birching, would have a far more salutary effect than keeping them in gaol any length of time. I think the longer they stay in gaol the more they become contaminated. They look upon it after a time as something that is not so hard to endure. I think the longer they are there the more hardened they become. When a boy first goes to prison he feels greatly alarmed, and if he is turned out after a good whipping under something like a suspended sentence or threat in the case of his becoming a suspicious character, the effect would be far more wholesome.

The CHAIRMAN.

Q. You have heard the evidence of the great desire of boys to remain in town? A. I think that the boys who have been accustomed to meet together and whose habits are formed are not readily weaned from their old ways. It is difficult to break them up. I think to keep a boy on a farm six months would reconcile him and satisfy him with his position. I know a case of a poor woman coming out from England who sent one of her children aged thirteen to a farmer and at the end of a year it was just as difficult to get him back to the city as it was in the first place to get him away.

HON. Mr. DRURY.

Q. Do you think that criminal habits are likely to be acquired if a young man has passed through early life and gets up to the age of sixteen without shewing any evil propensities or any desire to fall into crime? A. If they lead proper lives up to that time, young men would stand a great deal of temptation. Eighteen is a bad time of life for a boy—it is very early manhood, and his character is easily moulded.

The CHAIRMAN.

Q. Have you noticed many evil effects of indiscriminate association of prisoners in the gaol? A. I do not think it would come so much under my knowledge as it would that of the gaoler, but I think that the effect of it would be bad. I think it is desirable to have a better classification of the prisoners than we have now, but I think the very best is done now that can be done.

Q. Have you known cases in which prisoners have deliberately instructed other prisoners in criminal courses? A. I do not think that it is with a view to instructing them that they relate their experiences, but they do it in a spirit of brag to impress the younger ones, and I think in this way they are contaminated.

Q. The cellular system of confinement for prisoners waiting trial has been suggested, do you think that this would be a proper system to adopt? A. I do not think it would, I think it would be very hard indeed. I think it would be punishing prisoners before they are sentenced.

Q. Which of the two evils, indiscriminate association, or this punishment, would be the least so far as the prisoner was concerned? A. Of the two it would perhaps be better to place him in a separate cell, but at the same time it is pretty severe treatment, and there are generally a number of prisoners who have not been tried who are found innocent of the offences with which they are charged. It is a great punishment to be confined separately.

Q. What is your opinion about the government taking over the control of the common gaols? A. We manage things satisfactorily at present. There is some little delay in getting the county council to carry out the repairs necessary, and it is hard to get the government and the county to work in concert. I think that the councils are very reluctant to carry out repairs which would involve any considerable expenditure for fear that they do not get re-elected, and the government don't care to get into collision with the council, and thus between the two the repairs have to suffer.

Hon Mr. Drury.

Q. You are just about right? A. If there were more power in the hands of the government to order these things it would be better. The county councils are not averse to the expenditure, but they don't want to go to their constituents and say that the government forced them to do so and so. Still we get along very well; we have very little to complain of.

Q. What do you think would be the best mode of treatment of this great army of drunkards that you have? A. It seems hardly fair to force these people to associate with criminals, because I think drink is a constitutional trouble, that is, when it becomes habitual. There ought to be some place where the confirmed drunkards can be usefully employed. Put them on a farm some distance from the city. I would suggest that you buy some land near the water works and establish a park for the city. They could lay it out nicely. These people could do gardening and that kind of work; but as regards this park, instead of putting the city to the expense of laying it out you might very well have it done with this kind of labor.

Q. Don't you think that of the 290 individuals representing 550 committals for disorderly conduct and drunkenness the majority are worthless vagabonds, or are you of opinion that they are honestly desirous of overcoming their craving for strong drink? A. I do not know; I think they would rather abandon that life, but their appetite is stronger than their will.

The Chairman.

Q. I must confess that my observation is the other way? A. There are men who would go through fire and water for drink, but there are a few who are honestly desirous of stopping drinking if they could do so. Those who have got over the degradation and shame attached to gaol life are I admit in a hopeless case.

Q. Take such a man as your gaoler told us who has been convicted 70 times, would you think there is any hope for that man left? A. I think the man has a desire to reform.

Q. Don't you think that the best treatment for that class of people would be long continued periods in the Central Prison where there is hard work, or some other place where they can be kept at hard work? A. I would hardly say that they ought to be treated as if they were persons committed for serious crimes. They ought to be placed in a separate institution established especially for them.

Dr Rosebrugh.

Q. Do you think that something more might be done in the way of providing amusements for the children to keep them away from the streets at night? A. Yes. The trouble is to find amusement for them. They would get into mischief on the way home; if they were left to themselves I am afraid they would fall into mischief.

Q. Do you think that anything ought to be done in the way of keeping the boys off the streets at night? A. I do not see what can be done except by authorizing the police or other persons to look after them, and report them to the parents and give them to understand that they ought to be taken better care of.

Hon. Mr. Drury.

Q. Do you think there should be power given to municipalities to pass by-laws authorizing police supervision? A. Good might arise from it and there could be no evil. There are parents who know perfectly well where their children are at night, that they form bad habits,—drinking, smoking and going into houses of prostitution. When once they get started in this line it is difficult to check them. All that is done in Berlin and Waterloo I am afraid there is no legal authority for. I think there ought to be legislation to enable the authorities to take this action.

London, August 21st, 1890.

Present— J. W. Langmuir, Esq., Chairman; Hon. Charles Drury, Dr. Rosebrugh, A. F. Jury, Esq., Hon. T. W. Anglin.

Nelson Moore, Gaoler, St. Thomas, sworn.

The Chairman.

Q. When were you appointed gaoler at St. Thomas? A. On the 1st of January, 1882.

Q. Do you consider that in some instances it is as necessary to have a sub-classification of the prisoners who are waiting trial, as it is to have those waiting trial kept separate from those under sentence? A. Yes. I am often asked to do this by the county crown attorney.

Q. Do you frequently find that an habitual criminal, a hardened character, will corrupt others who are less experienced in crime than himself? A. I have known cases of this kind. A man who I think was in for trespass on the railway tried to get a boy to steal for him, to get things for the other men in gaol. I knew that the influence of the man on the boy was bad, and I separated them. I have known cases of this kind too in the female ward, but I could not separate them.

Q. Are you of opinion that criminal courses and vice are largely due to the indiscriminate mixing of the prisoners in the gaol? A. I have no doubt of it myself. As the result of indiscriminate association, criminals in my opinion have been produced. I think hard-labor prisoners should be kept distinct from prisoners who are waiting trial, and not this alone, but from prisoners who are accused of serious crimes. Those sentenced for serious offences, and those charged and waiting trial for these offences ought to be kept separate from those incarcerated on minor charges. Prisoners that have been committed for drunkenness or minor offences, ought to be kept away from prisoners committed for crimes, such as larceny, forgery, and so on; they should be kept entirely separate from them.

Q If a prison such as the Central Prison, were established in the western part of the Province, to which you could remove all prisoners sentenced for twenty to thirty days and upwards would that enable you to make a better classification of the remaining prisoners? A. I think so. And I think too that if some system of work-houses were established it would be of great benefit to us.

Q. Did the removal of the 20 prisoners to the Central Prison last year enable you to make a better classification of those who remained? A. It helped us very materially.

Q. I observe that with a population of 42,000 in the county you had only 23 committed as drunk and disorderly. Are your constables on the alert in apprehending men who take a little too much occassionally? A. Well, I can hardly say that they are judicious in their arrests. Sometimes the prisoner is more sober than the constable who arrests him.

Q. Are they paid by fees? A. Yes, sir.

Q. Do you think that is a wrong method? A. I do; I think a constable should not have an incentive to arrest any man for a fee. I am afraid they are rather alert in arresting

men staggering on the street on some occasions. I think they should confine themselves to those who are disorderly characters, or those who are of the habitually drunken class. I do not think that the common gaol custody of the drunkard is good, if I had my way I would send them to the asylum for a second or third offence. I think when drunkenness becomes a chronic habit that it is uncontrollable sometimes.

Q. Don't you think if there were wards in the Central Prison where these chronic gaol drunkards could be kept and the right kind of work provided for them—where they could be restored to proper habits—that this would be a better way of treating them than the system of short periods in the common gaol? A. I think it would be a good thing, but while they are being kept at work in such an institution, a portion of the proceeds of their labor, after deducting the cost of their maintenance, should be sent to their families.

Q. What do you think is the chief cause of crime and vice? A. In many cases of married men I think it is caused by improper marriage; they are not properly mated. I have known cases where it is as much the fault of the wife as of the husband.

Q. What class of prisoners are most addicted to larceny? A. Young men and boys; but we have more adults than boys.

Q. What is the nature of the larcenies? A. I can hardly recollect the specific offences. They steal in some instances watches and jewelry or clothing, and sometimes property. In many cases articles have been taken for the purpose of being pawned to get liquor.

Q. Do you think that many of the forty-four persons committed this crime owing to drunkenness? A. I think that probably it was done during the protracted strain that resulted from their previous intemperance, and for the purpose of getting liquor.

Q. I see that you had fifteen sentenced for trespass; what is the nature of this offence? A. These are men who have been taking a ride on the railroad without paying their fare. They are vagrants so far as I know; they are men that either do not or cannot get work and they jump on the train and go from one place to another. They are arraigned and generally fined from $3 to $5 or twenty to thirty days. As a rule they are not very bad men; we find them good men to work frequently and easy to handle. They do a good day's work but for some reason or other they are unable to get along. I presume it is owing chiefly to dissipation.

Dr. Roseburgh.

Q. I see you had seven boys last year; were these boys all proper subjects for the gaol? A. No; I do not think they ought to have been sent to gaol at all.

Q. Do you think that there were any particularly bad boys amongst them? A. No; I could not say there were any particularly bad. I have an idea that if they had been properly handled they would have been good boys. I do not think that boys should be sent to gaol for first offences. I would give them suspended sentence; if they had parents I would put them in charge of these; if not, I would find other homes for them; and I think that making the parents pay for them would have a good effect. I think that parents as a general rule allow their boys too much latitude.

Q. Do you believe in what is called cellular confinement for persons awaiting trial? A. I think it is a mode of punishment, and I do not see why a man should be punished before conviction. You have no right to give him any punishment whatever. I think that prisoners waiting trial should be kept in gaol entirely for safety, and they should be separate from those who are sentenced. I think also that the hardened prisoners should be kept separate from those who are first offenders or who have not drifted absolutely into criminal ways.

The CHAIRMAN.

Q I suppose you have boys committed for the first time, some innocent, some very bad; do you think it would be advisable to keep these separate? A. I do think so. If I could give each of these boys a corridor to himself, this would be a hardship to the boy, but in my opinion it would be better than association with others.

Q. Do you still, notwithstanding you have a poorhouse, get persons into gaol who are old and infirm and who ought not to be there? A. Yes, they are put in as vagrants. Sometimes they belong to the county and are unable to support themselves; sometimes a man arrests them and there is no particular charge brought against them, but he simply prefers an accusation of vagrancy.

Q. Has the establishment of a poorhouse in the county of Elgin had a beneficial effect upon the prison management? A. There is no question about it.

Hon. Mr. DRURY.

Q. Do many outside poor who come casually into the county find their way into the poor house? A. I think very few. They are admitted on the certificate of the reeve of the municipality or the magistrate, and these are very careful about whom they give certificates of admission to.

Dr. ROSEBRUGH.

Q. You say that you have no means of classifying female prisoners in the gaol? A. No. We had a respectable girl sent in—the daughter of very respectable people—some time ago; her father was a respectable farmer some distance from St. Thomas. She came into the city and was charged with stealing a piece of jewelry, which perhaps did not amount to over twenty cents. She was arrested on the Sunday, the constable having gone to the farm house to apprehend her. They offered to give bail for her and bring her in the next day. She was a young girl, I think about seventeen. On the Monday she was taken to the police court, and before her friends had an opportunity to appear on her behalf she was sentenced to a month. Just as they were taking her to gaol her friends came up, and they were in a terrible way about it. Of course I had to take her to gaol, and I had at the time there three prostitutes of the lowest order—bad women of the most hardened type—and the matron, who is my wife, would not allow her to go into the ward at first, but we did not know what to do. I was afraid something might happen, and we put her in for a short while. Her parents came to me, and I advised them to see the judge and ascertain what could be done in the matter. The judge gave me an order that I was to keep her in a room in our own house, and we had her there for a month.

Q. If you had not taken that course, probably this girl would have gone to the bad? A. I am afraid she would, and I am afraid that there are many girls who go wrong from such causes. As regards this particular case, I enquired into the charge and I am satisfied she was innocent. She ought never to have been convicted at all.

The CHAIRMAN.

Q. You have heard that there has been some agitation in favor of the Government taking entire charge of the gaols. What do you think of that? A. In my opinion there should be no intermediate authority between the Inspector of Prisons and the gaoler. I have always held that the Government should have the complete control of the gaol. Divided authority between the Council and Government as at present is a source of trouble in the management of the gaols. Gaol committees have no respect for the Inspector's orders. Where it is absolutely necessary to put the gaol in a proper sanitary condition they refuse to do it, and this intermediate authority between the Government Inspector and the gaoler handicaps the gaoler.

Hon. Mr. DRURY.

Q. You take your order from several parties? A. I am placed in a peculiar position. I get my instructions from the Inspector; he gives me a book of regulations, and

I am supposed to carry these into effect; but as regards other things which are equally important, the gaol committee interferes and is able to prevent some necessary reforms being carried into effect, notwithstanding the fact that those reforms have been ordered by the Inspector. I have known cases where they have applied to the sheriff with regard to gaol matters, and have paid no attention whatever to me. They say that they have a right to their view upon the matter as representing the ratepayer.

Q. If the Government, without taking control over completely, had power to order such work as became necessary to be done forthwith, and to assess the cost against the counties, do you think this would meet the difficulty as regards the larger works that are sometimes necessary in connection with the gaols? A. There is no doubt that would make a difference. The councillors could go before their constituents and say, "I am not responsible for this." They could justify themselves and could not be held responsible for spending money, when they ordered the work to be carried out. At present each councillor, when he is before the electors, promises to reduce the expenditure. The fact is, that the Government would do the work more economically than the county council does. Now, with regard to the matter of the intermediate or divided authority, we had in our gaol in the spring, unless it was a very dry season, water trickling on to the floor and I called the Inspector's attention to it time after time; he said it must be remedied, and the gaol surgeon noticed a smell one day, and he said there ought to be a change there. It went on for a long time, however, until finally the Inspector made a peremptory order on the book that there must be a change. He told me to speak to the committee about it. I called the attention of the committee to it and said it was not right. They said they would see about it, and eventually it was decided it must be done because the Inspector ordered it. I have experienced similar difficulties in other matters.

The Chairman.

Q. You think far more efficient management would be secured if the gaols were entirely under the Government. A. I think so. People are becoming educated to this. I know that a great many of the county council even recognize the fact.

Q. Apart altogether from the question of construction, would it promote efficiency in the staff by giving facilities for promotion from one gaol to another and greater uniformity than can be obtained under the present system? A. I believe it would.

Q. What do you believe to be the chief causes of crime in the community? A. The chief causes of crime in my opinion are idleness, ignorance and intemperance; that is the best way I can put it.

Q. Take the skilled forger, or the safe breaker, are they intemperate men do you think? A. As a rule they are not at first, but they ultimately become so. They take to liquor generally as they advance in years, but of course they cannot be experts and use liquor.

Q. A large mass of your criminals are of the petty order? A. Yes, local men are usually brought up for these smaller offences.

Hon. Mr. Drury.

Q. Do you think that the beginning of a course of criminality is early in life, and that any system that might be adopted for dealing with the suppression of crime should aim at preventing the young from becoming criminals? A. Yes. There is one thing I would say in regard to the men who go into the St. Thomas gaol. I find a great many men go in there for minor offences—drunk and disorderly conduct, petty larceny, assaults, and crimes of that character. They are not hardened criminals as a rule. There may be men who do these things under the influence of liquor, and I think if these were taken hold of and put in some position so that they might get proper employment, a great many of them would be likely to become better men.

Dr. ROSEBRUGH.

Q. There are temperance societies, Sons of Temperance, Knights Templars, and Good Templars. Don't these take hold of these men? A. I do not think that these temperance societies do very much good.

Hon. Mr. DRURY.

Q. Don't you think they do a great deal of good in training the young to habits of temperance? A. I do.

Q. Do you think the gaol is the proper place for the punishment of boys? A. No. I do not think they should be sent there at all. I would recommend, and unless it was something very serious, unless he was a dangerous boy, that he be sent out under suspended sentence, and if there was no hope of doing anything with him in that way I would put him in some public instution where he would get some education and industrial training. I think the House of Correction in Detroit is a splendid thing for them.

Mr. JURY.

Q. Of the boys that have passed through your gaol have many been brought out by those societies in England—Dr. Barnardo, Miss Rye and Miss Macpherson? A. I cannot speak positively as to that, but we have had two or three females. They are a bad class; they seem to have been imbued with crime from infancy.

DUGALD BROWN, Sheriff of Elgin, sworn.

The CHAIRMAN.

Q. When were you appointed sheriff? A. In 1884.

Q. You have heard what your gaoler has said in regard to the propriety of the government assuming control of the gaols. Are you of the same opinion? A. To a certain extent. I think it would be better to build reformatories; that would be found cheaper than enlarging the gaols.

Q. The question is whether the government should take entire control and eliminate the councils altogether from their jurisdiction? A. I do not think I would go so far as that, still, to a certain extent, the government should have power to make the necessary improvements. Those really needed could be done so much faster if the government had the control.

Q. Don't you think that by exercising what power they have the government could get along very well? A. I do not see why they should not; if the government took steps to compel the council to carry out the instructions of the inspector it would be all right; if they exercised the control without waiting so long.

Dr. ROSEBRUGH.

Q. If the government had these increased powers do you think they would be resisted by the council? A. I do not think so because they would put the blame upon the government.

The CHAIRMAN.

Q. Have you known instances of a man going into the field as a candidate for the position of county councillor on the plea that he would be more ecomomical than those who had represented the municipality before? A. Yes. Of course the majority of the members of the council are willing to do what is pretty right.

Q. If an industrial prison was erected in the west to which sentenced prisoners were removed from your gaol, and if lunatics were more promptly sent either to the

asylum or to a ward specially provided for them in the poorhouse do you think you would be able to get along with the present number of wards? A. We could very nearly, but there is only one ward for female prisoners.

Q. Would another institution on the same lines as the Central Prison, in the western part of the Province be preferable to enlarging the gaols? A. I think it would be infinitely preferable. I have thought this subject well out. I was a member of the county council when our house of industry was built. It seemed a necessity to have this extra institution in order to carry our gaol work on.

Hon. Mr. Drury.

Q. You would be in favor of using the gaol largely as a place of detention for those waiting trial? A. Yes. We have nothing for the sentenced prisoners to do only sawing a little wood and keeping the gaol yard in order. The hardened criminal, I find, dreads the Central Prison. I think he has a great dread of hard labor. These men are generally lazy and labor of any kind is a punishment to them; that would be one effect of having such a prison. I believe it would also have a good effect upon them morally; they would not have time to study up mischief; to plan other crimes to be committed when they went out. It has a good effect, too, upon men outside, for they tell each other about the bad gaols, that is, the gaols where they are made to work.

Q. Do you agree with the gaoler that idleness is the chief cause of crime, and that men who fall into an idle life are likely to drift into a criminal life? A. I do; and I think labor would have a reformatory effect upon them, but I do not know how far it would be a success upon the hardened criminal. There is an old fellow named Scotty who used to wander among our gaols before this present turnkey was appointed. He caused him to walk four miles after breakfast every day as a punishment. This was kept up during the whole period of his sentence and the result of it was that he has never been back since.

The Chairman.

Q. Have you any means of observing how the Central Prison custody compares with that of the penitentiary upon habitual criminals? A. Oh, they prefer the penitentiary to the Central prison. They prefer three years in the penitentiary, as a rule, to eighteen months in the Central Prison.

Mr. Jury.

Q. I suppose this man who was made to walk by the turnkey was a loafer, a vagrant? A. Yes. An umbrella tinker I think.

Q. When you say that he would be frightened to come back on account of the work do you mean men of that class generally? A. I do. They dislike work.

Q. But you don't mean the ordinary man who is there for drunkenness? A. The drunkard is often willing to work when he is sober. They are not lazy men as a rule. Drunkenness is different. I regard it in some measure as a disease. I believe that there are some sent in there through being drunk and disorderly who would rather do a day's work than be idle, but those vagrants are generally men who prefer idleness. We have a great many of this vagrant class going from Detroit to Buffalo.

The Chairman.

Q. What, in your opinion, are the chief causes of crime? A. Oh, natural tendency. It is hereditary.

Q. Is that original sin? A. No; but I believe crime is hereditary. It is sin through the forefathers and I think a great deal of it is due to the way families are brought up. If a man has a natural tendency to drink he deserves great credit if he keeps sober.

GEORGE PERRY, Sheriff, Oxford County, sworn.

The CHAIRMAN.

Q. When were you appointed Sheriff of Oxford? A. At the commencement of 1873.

Q. Prior to that time you represented the county in parliament? A. Yes; five or six years.

Q. Were you in the county council before your parliamentary duties commenced? A. Both in the township and in the county council.

Q. Do you ask the approval of the gaoler when you select a turnkey? No. I have put them in without consulting him. I had a little row with the gaoler about his own appointment but this was long ago. I may say that the matron was in office when I went there and she is still in the position; but I had three or four turnkeys. Some have died and some have been dismissed.

Q. Are you satisfied with the gaoler? A. Well, we are not very good friends.

Q. On a certain day when you had eighty prisoners I see that you had four women? A. Yes.

Q. If you had one woman waiting trial for some petty offence, and a couple of prostitutes and vagrants, would you have had to put them together? A. They would necessarily be put together. We have been in a peculiar position as regards our women. We have had one for many years as a lunatic, or something of that kind, and she died there. Then, we had one a good many years charged with murder—killing her infant, and she was allowed to remain five or six years in the gaol on account of insanity, or supposed insanity, and she has only gone out lately. It was the judge on the bench who ordered that she be detained during Her Majesty's pleasure. She was an inmate for five years. She was committed for killing one child and while she was in gaol she had another. I went down myself at the request of the gaol authorities to examine her and I asked who the father of the child was, and she named a person who could not be the father, because, although he had been in the gaol he had been taken out by *habeas corpus* long before, and he could not have been the father.

Q. Should there not have been an official investigation? A. I think so. The child was born more than nine months after the woman had been admitted to gaol, and the man whose name she gave as the father had been out of gaol long enough to prevent the possibility of his being the father of it.

Q. You do not know whether there was any investigation into the matter? A. I suppose the inspector enquired into it.

Q. Did he make a report to the Government upon it? A. I cannot tell you.

Q. How long ago is it since this occurred? A. Some two or three years, but I cannot speak definitely from memory. I let her go on the order of the Attorney-General. She was a very industrious woman and worked hard all the time she was in gaol.

Q. Why is it that you have such a great number of vagrants in the County of Oxford? A. It is because they like the gaol I fancy.

Q. What is the character of these vagrants generally? A. Quiet. A large proportion of young men are amongst them. I should think, however, that they are mostly middle aged men. They come winter after winter. I do not know whether they are the same persons or not. We had lots of vagrants last winter. They were all put to work in the new court house yard to help to make the excavation.

Q. Do you think it would be best to treat these men so that they would not be anxious to remain in gaol? A. I should think so. A longer sentence in the Central Prison where they would have harder work and more rigid discipline would be better for them than the common gaol.

Q. Have you found that criminals dread going to the Central Prison? A. They do; they fear it. I have been frequently in court when prisoners have asked for a longer sentence in the Penitentiary in preference to a shorter period in the Central Prison.

Q. Do you think that there are evil results arising from the indiscriminate association of prisoners in the gaol? A. I presume so. There is one instance that I heard of the other day. We had a man in for larceny, and we sent him to the Central Prison, and after his time had expired in the Central Prison he committed a burglary and brought a boy ten years old in with him.

Q. Would you be in favor, when you have got this army of vagrants in the gaol, of setting them to work on the streets or at some labor outside? A. They are sometimes worked on the streets; we put them to sweep snow, and things of that kind. Last winter they did some work; they were digging. We have not given them any more of it, we had a row about it. There were some men called at my office with reference to it. There are quite a number of prisoners who go into gaol that would be proper subjects for a poorhouse, but when the Statute was changed from the word "shall" to "may" our county council refused to do anything with it; but the supporters of a poorhouse are growing now I think. I am not a supporter of a poorhouse. The poor, as I understand it, are infirm or homeless people, and they are generally looked after.

Q. Have you ever conversed with prisoners and ascertained what their views are as to treatment in the Central Prison? A. Yes, they fear it and they feel it.

Q. Do you think that Central Prison treatment, or custody, acts as a deterrent on the commission of crime? A. I don't know. A great many of them come back again. It does some good, but I am not so sure about the poorhouse. I think that there are so few of the class you speak of that it is not necessary to send them to a house. I am afraid of another thing; that the premises and property would be too expensive, and that it would be used as a loafing place for lazy men who would not work.

Q. There is some agitation going on about the Government taking entire control of the gaols. What do you think of that? A. My idea is that the Government might as well have the honor as anybody else, provided when they take them over they pay the bills.

Q. Have you any difficulty in getting your reasonable wants supplied by the gaol committee? A. Well, they are pretty funny They make me by resolution subservient to their views. I frequently make requisitions upon the council or committee for clothing or anything I want; they grant this at my request.

Q. Have you any complaint to make of dilatoriness on the part of the county council in supplying your wants? A. No, I have not; but they have got into a bit of a muddle about the court house. It seems that every care has been taken, but the Toronto architect steps in and says that everything is wrong and everything is bad.

Dr. James Martin Smith, Gaol Surgeon for Middlesex Gaol, sworn.

The Chairman.

Q. How long have you held the position of gaol surgeon here, doctor? A. Since February, 1885.

Q. Do you make daily visits to the gaol? A. I do.

Q. And do you record your instructions in writing in the books? A. Every day I make an entry.

Q. Do you see to the sick? A. Every case, but it is customery for the chief turnkey, or whoever is on duty, to inform me of anything that is required in any of the wards. I do not visit all the wards unless my attention is called to some case in them.

Q. Were the 540 committed for drunkenness and disorderly conduct last year generally young men, or men on in years? A. A great many of them are young men, others are of the older class that are in the habit of coming and going from time to time. The majority of them I would say are below middle age.

Q. Do those younger men, after they have been committed once or twice, lose all sense of shame of gaol punishment. A. I think the tendency is to harden them, and particularly if they are outside where they are seen, I think that the feeling of shame is gradually lost; quite a number are first cases on a charge of drunkenness.

Q. Do you think that these drunk and disorderly classes are generally supporters of families? A. There are not a great number of them men with families, and those who are are of very little use to their families. One in particular that I am thinking of has a wife and he is generally in for abusing his family. He is a man who draws a pension from the United States Government and his family very seldom receive the benefit of it. He spends it in drink mostly.

Q. Is drunkenness hereditary? A. I would not say it was hereditary, for I have known some of the strongest opponents of the use of liquor amongst children of abandoned drunkards; and on the opposite side again, you will find children of the strongest advocates of temperance turn out bad. In this case I think it is more the association with parents or with people who drink that causes them to fall into the vice.

Q. Take the child of a drunken father and mother, a child perhaps born in drunkenness; what would be the effect of heredity upon that child? A. I rather think that there would be a touch of heredity there. I think that there would be a predisposition to drink. I cannot call to mind any case, but I would expect that to be so.

Q. Say that the child is separated from drink and drunkeness at an early age and placed in a good home, do you think that this would overcome the taint? A. There would probably be a contest between the two forces; the hereditary and the wholesome influence exercised in the home. It would be a good deal like a person who has been falling into drunkenness. The power of resistance becomes less time after time, and by and by the taste for drink overcomes the power and strength to fight against it. It would just be a question of the strength of the two forces.

Q. How is it with the children of criminals? A. I would just class them in the same position as the offspring of drunken parents; there might be a certain amount of hereditary influence, but there might be a more powerful one in the opposite one which would overcome that.

Q. Can moral qualities be transmitted? A. Yes. If I were certain, I am not a very strong believer in phrenology, but if there is anything at all in it, if certain faculties have been enlarged by the force of habit, then it is a question whether these very same forces might not be transmitted to the child. I can quite understand this in regard to drunkenness, that it is a physical disease.

Q. Go a little further then. Take the child of criminal stock for two generations that has been two or three years in bad environment; take it away and put it under the influence of good people, will these good people be able to eradicate the tendency to crime in this child? A. I think they would largely succeed. I think it would be a strong power brought to bear in opposition to the other side of the child's nature.

Q. Do you think that criminal and vicious habits deteriorate the body physically, and that physical deterioration weakens the power to resist temptation in the child? A. Well, I do not know, I would not say that a healthy child or a healthy person cultivating these faculties would deteriorate or weaken their physical constitution. Physical detriment would bring in its train a certain amount of mental and moral weakness, and in that case I would not say that the child would be able to resist temptation as well as one strong physically.

Q. Then on the whole, are you a believer in the transmission of criminal tendencies by parents to children, or do you believe that it is association or environment that had the more powerful influence in determining the future of the child? A. It is an unsettles question in my mind, but I think that each has a certain amount of influence. Heredity leaves a certain physical effect, but to what extent I am hardly prepared to say, because often in little children, if you look at the development of the head and face you will be inclined to say that it is impossible for you to make anything but a criminal out of the child. In others again you will see fine well-shaped heads and yet one of these would be a person who would probably under such influences make one of the worst criminals that could be found, and under right influences one of the cleverest men in the country. We had a case the other day of an exceedingly clever lad seven years old, whose guardians (whom he believed to be his parents) had been to gaol time after time. He was removed from them and taken by the matron of the Orphan's Home. The child was brought before the police magistrate to have the necessary steps taken for his removal, and after he had been in the Institution he cried for fear he would be taken away from the kindly influence of the matron. This child had lived from infancy with these people, had been backwards and forwards to the gaol with them, and only a few weeks ago he was afraid of falling back again into the hands of the person he supposed to be his natural mother.

Q. If children are brought into this country from the slums of vice in the larger cities of the old country, is there great risk of their falling into criminal ways on slight temptation? A. I have noticed a great many of these children. I think that they are too careless in placing these children here; in putting them round the country amongst the farmers, who expect to get all the work out of them that they can. If they were received with a little more kindness I think it would be better and they would shew better results. If there is any tendency to reform at all it will be brought out by kindness. When they are eight, ten or twelve years, before these associations take them in hand, they have been greatly contaminated I fear by the bad example set before them in these low places, and their principles have become fixed to an extent.

Q. Have you ever known in your practice of what is known as kleptomania being transmitted? A. I cannot say that I have. We had a family here recently who have left the city. The father and the mother slipped and we had the children in one after another for theft. The father was a drunkard, but the woman I think was a hard working woman. The children came one after the other at an early age up to the time they left; but I was satisfied that they were encouraged in stealing by their parents at home, and that it was not kleptomania as was supposed at first.

Q. I noticed last year that you had 27 lads committed to the London gaol; what has been your observation of the effect of this kind of treatment on boys? A. They have taken it hard many of them at first when they have come in. I have heard their cries over the whole place and I have known them laughing and talking with men before they have been in three hours. When they first come in it is a great punishment, but when they have been in here for a few times it is no punishment at all. I think it is simply making criminals.

Q. Do you think it is the best way to treat juvenile criminality? A. I don't. In the first place, these children have got no encouragement in their own homes to do well and there is no hope for them in the gaol. My remedy would be to send them here and give them solitary confinement with bread and water for a little time after admonishing them. For the first time I would not send them to the prison at all, but the next time I would try twelve hours in the black hole and give them the strap. If the parents would not give it to them somebody should.

Q. What is the character generally of the parents of the children who come to your gaol? A. In some cases their character is good, but they are so tender hearted that they won't punish their children at all, and one after another gets beyond control. These

children are allowed to run about and pick up vicious habits, and the parents may request and beg of them not to go out but they will go out in spite of them. The parents use no corporal punishment, no force, and they gradually lose all control over them.

Q. Do you think that the tendency of the age to do away with corporal punishment has a bad effect? A. I think in some instances it has, in other instances it is carried to too great an extent and makes the child hard and desperate; but I think the rule has been that the fault is on the side of the father who has been too lenient with the children. One case I call to mind now; one of the bank officials had a child sent down for some offence, and he begged to have him sent to the reformatory. He said that neither he nor the mother had any influence over the boy. They had given him up in despair, and were quite content that he should be sent away.

Q. What in your opinion are the chief causes of crime in the country? A. That is a matter that requires considerable consideration. As for drunkenness, most of the cases we get here are merely persons charged with drunkenness without any crime; and if crime arises from drunkenness, it is nothing more than a drunken brawl between two persons. Very few cases of larceny I have noticed have come in here where the offence arises from drunkenness.

Q. Would you adopt a different kind of treatment for the drunken class? A It is hard to say what kind of treatment you would order. We have had one here for many years, a well known character, who has been in time after time but this has not done him any good. A short time ago we had one of our best tradesmen here, a good, valuable citizen, but no good resulted from bringing him to gaol. It is really alcoholic insanity. I think to a certain extent it is a disease. These persons are insane.

Q. Would you be in favor of treating them in an industrial prison for periods say of two or three years? A. I think that would have a salutary effect in some cases There is one case I spoke of. I think he has been twelve months down at the Central Prison, and I venture to say he will get drunk again as soon as he comes out.

Q. What would you do with such a man? A. Put him in a place where he would be well cared for. Give him a healthy, wholesome amount of labor to perform. He has lost all control of his appetite. You will find one man go out and remain out for months and give way again after the restraining influence is gone. The will power is completely obliterated.

Q. What effect has the habit of drunkenness in the better grades of society? A. Oh, it is done on the sly. These men indulge in a spree and don't fall into the hands of the police, they don't come under the law. Where there is a higher degree of education I think that the will power is stronger.

Q Don't you think that some medical treatment is also necessary? A. One institution I saw was in Italy; and the plan of treatment was to soak all the food in liquor, and give them nothing without liquor until they were thoroughly surfeited.

Q. Do not the profession in cases of insanity seek to strengthen the body before they can reach the diseased mind? A. The insane are generally treated according to their condition. Where the physical element has to be attended to, in the treatment of insanity it is generally done at the outset.

Q. At any rate you would be in favor of different treatment to that pursued in the common gaol as regards the drunks? A. I would not treat them as criminals. I should say take cities like London, Hamilton and Toronto; they ought to have some separate departments for these classes in the prisons.

Q. If you implant habits of industry in the drunkard, would not that have the tendency to wean him from drinking habits? A. Undoubtedly. If his mind is interested in something else it turns his thoughts away from drink.

Dr. Rosebrugh.

Q. Turning to these imported children, have you had much experience of these waifs? A. I have seen a good many in different places, and have had an opportunity of observing their character. One case I remember was a girl of thirteen who became pregnant and before her fourteenth year gave birth to a child. She was in a private family, and the father of the child was a lad very young. A great many of them while not deformed, are of small stature, and not well developed, indicating that the mothers were very young when they were born. It is a rare thing to find a well developed or fine intellectual looking person amongst them. But most of them could not be described as weak or delicate. I have observed the secondary effects of syphilis mostly in skin disease and weakness of the eyes.

Q. Would you say that they are largely diseased and physically defective? A. I should say they are physically defective and mentally defective; more than half so far as my observation goes. I think in a country like this we require a different class of children. I would either stop the supply completely or have a more vigorous system of examination.

Q. Suppose the son of a friend of yours in no way criminal, but through some mischief got into trouble and was not bailed out, now, of the risk of contamination from association in his cell or of the risk of injury from separate confinement, of these two evils, which do you think would be the least? A. I would say give him a separate ward by all means.

Mr. Jury.

Q. When you refer to idleness as being one of the great causes of crime, do you mean voluntary or involuntary? A. Amongst a certain class there are a great many who have nothing to do. If they had something to occupy their minds and time there would not be so much drinking and idleness.

Q. But amongst the poorer class, do you think it is want and idleness that lead them to drink? A. We have a great many who spend their time in idleness, who drink and get drunk not only themselves but lead others into the same bad habits.

Q. Take the case of a man who becomes so low with drink that he can sink no further. Would not the child of a parent of this kind have some weakness. Would there not be a lack of the power to resist temptation? A. I could hardly go so far as that unless there were some other circumstances to be taken into account. The child might be weak at first, but he might overcome the weakness.

Q. Often instead of overcoming this bodily disease, this disease on the border line between mental and physical, don't you think that it increases with age. Take the case of insanity? A. Insanity comes under a different law. I do not think that you will find insanity in a child unless there has been brain disease. There is no doubt about a case of this kind being hereditary.

Q. Don't you think it would be the case with other things, with drink? A. No, I don't. But I have no doubt that brain lesion or trouble passes from one to the other.

Q. Don't you think that the passions or appetite pass down? A. I don't think they do. I think that where the mental stamina or physical strength has been reduced, that the want of stronger will power might incline one to give way to temptation, but I would not go further. I have already said that I have no great faith in phrenology.

Q. But outside phrenology, don't you think that certain attributes, moral and otherwise, get located in different parts of the brain—that is outside phrenology? A. No; it is inside phrenology.

Q. You believe that the physical attributes are transmitted? A. The physical qualities are no doubt transmitted; there is one thing, intellectual parents are much more likely to produce intellectual children than those who are not; but there are many intellectual parents who have not transmitted their intellectual abilities to their children.

Q. You would not expect intellectual children from idiotic parents? A. No. A person might run into bad habits—persons with well developed brains often run into habits that become injurious to them—but I do not think it is from any mental weakness or anything of that kind. I do not think it is started in the brain at all.

Q. Don't you think that men having mental diseases have a pre-disposition to crime? A. No.

Q. Don't you think that there are some diseases that will cause a man to commit murder, to steal, and to commit other crimes? A. No; I don't. What object would he have in stealing?

Dr. Rosebrugh.

Q. Take another phase of the question; take two young men apparently equally developed physically, mentally and morally, both with the same amount of moral backbone; say that these young men become moderate drinkers, one is the son of parents who have records of sobriety extending back from generations; the other is the son of parents who were drunkards before he was born; would not the latter young man be more likely to be a drunkard than the former? A. I would have less hope of his reclamation if he were to become addicted to drink than of the other's, but it by no means follows that he would fall into drunkenness

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Hugh Nichol, Gaoler, Stratford, sworn.

The Chairman.

Q. When were you appointed gaoler? A. In 1877.

Q. Of those 65 committed for vagrancy, what proportion were old, feeble, poverty-stricken persons without any crime but simple poverty? A. I cannot say; you see these men will often be committed ten, twenty, or thirty days, and a man may come in five or six times. There is one blind man we have had for six years; he has been committed six, eight or twelve times. When all these committals are brought down, they would not probably mean more than eighteen or twenty persons. About half of them are proper cases for a poorhouse.

Q. If these were out of the way would you have better means of classification? A. I think so. In our new gaol we ought then to be able to make a very fair classification.

Q. Whence did the sixteen prisoners of the drunk and disorderly class come? A. Some are tramps and some are local men. I have some in my mind who were well brought up and well educated. Sometimes a man will be suffering from delirium tremens who will be up merely for the purpose of becoming sober again.

Q. With a population of 62,000 sixteen seems a very small number to be arrested for drunk and disorderly conduct. Are the police vigilant in apprehending all the drunkards? A. Not the police. Some temperance society has a man employed to watch the liquor sellers on Saturday night, and I think this largely accounts for it. They are afraid of this man. His business is to act as detective; they all know him, and they are prompt to obey the law as far as Saturday night and Sunday closing go.

Q. If you had an industrial prison, within reasonable distance, where all the drunk and disorderly characters could be sent—and if for the very old people you had

a poor house—would your gaol be sufficiently large to enable you to have a perfect classification of the prisoners who would remain? A. I think under those circumstances, judging by the past, I would have ample accommodation.

Q. There is an agitation going on about the Government taking over the common gaols of the Province, are you in favor of this? A. I can understand that it is easier to serve one master than thirteen or fourteen, and sometimes twenty; but so far as I am concerned the council is willing to do anything that is required.

Q. When you make requisitions for clothing, bedding, and other articles, and to keep the gaol in proper repair, are they promptly attended to? A. I think I may say that they are. We have got a committee on county property, but they leave it as a rule to the warden, who as a general thing leaves it to the clerk, and the clerk and I get on very well. In the old gaol we had a good deal of difficulty, but that is at an end now; for since the new gaol has been built we have required no repairs.

Q. Have you any fault to find with the present system? A. No. I would say that without the approval of the sheriff, the gaoler should not change the appointments of the turnkeys. I would not like to be in the hands of the gaoler for this reason: There is a tendency that the gaoler is apt to make a servant of the turnkey. I am speaking from experience.

Q. Don't you think that it is proper that the gaoler should have the appointment of the turnkey? A. In that case he would be responsible for the turnkey's misdeeds. I would not like to be saddled with all his mistakes.

Q. If the sheriff appointed a thoroughly incompetent man as turnkey what would you do then? A. I would only have to submit to it.

Q. Would you not report it to the government inspector; would it not be your duty to report it? A. I do not know.

Hon. Mr. Drury.

Q. Do you think the gaoler should shirk his responsibility? A. I am not responsible for little accidents if they should occur.

The Chairman.

Q. Should not the gaoler be responsible for the prisoners and the entire gaol management; and if the whole responsibility of the gaol is thrown upon his shoulders should he not have the power to appoint his own turnkey? A. I suppose if he is responsible for the whole thing he should have the appointment of his own officers. I would rather have the turnkey appointed by the sheriff, because if he is guilty of carelessness I am not responsible for him.

Q. I think that is altogether wrong; it is an outrageous position to take, and the sooner you change your opinion the better. I would not have you as gaoler twenty minutes if you entertained that idea and I were in authority. You have the full control and the sheriff never interferes with you. Take my advice and don't shirk responsibility. The gaolor must be responsible for the management of the gaol. If a poorhouse were erected and if the vagrants were removed to that establishment, would you have sufficient means of classification for the remaining prisoners? A. I think at any rate we could make a better classification than we are able to do now.

Q. Do you know the circumstances under which the four boys were committed last year? A. Two of them were in for burglary; they climbed up a corner store and went through the skylight in the roof and stole a quantity of liquor. This was their first offence. The parents of one were very good; another was a nice quiet boy in a doctor's office. There were three of them; the third made his escape. These boys elected to be tried by a jury and they were brought before the circuit judge. We had a judge who used to give them short sentences in the gaol with a promise of a longer one if his leniency were abused.

Q. Do you find that boys who are committed to gaol for the first time take it greatly to heart? A. No; I think that the class that we get are as a rule not built that way. I found this: that when we were trying to keep boys by themselves, when we put them in a room together they kicked up such a row—such a racket—that we were glad to try to put them amongst old men. I have found these boys the most difficult class to deal with.

Q. What effect has the Central Prison on the prisoners who pass through your gaol? A. Some have a terror of the Central Prison; I have known some who have been brought up for sentence for the second time who wished to be sent to the penitentiary, and again, I have known some who say it is a comfortable home. I think they look upon the labor of the peuitentiary as being less severe, and the discipline of the Central Prison is very strict.

Q. What in your opinion are the chief causes of crime? A. Neglect, defective or vicious early training is the primary cause; secondly, idleness; thirdly, intemperance.

Q. What would be your remedies? A. In the first place I would like to see every child decently brought up and given a fair education. We have got some children in our county brought up without a word of schooling.

Q. Do you find that these are generally the ones that go astray? A. I think so although I have seen broken down gentlemen who have been addicted to drink, ex-officers in the army, lawyers, and a German count, who have all gone astray. Some of them might be sent down for hospital purposes; they let them down leniently. Any prisoner who is sentenced for two months should be sent to some place where hard labor would be given to him.

Hon. Mr. Drury.

Q. Have there been any cases of able-bodied prisoners in your gaol sentenced for over two months who have not been removed, and as regards whom no attempt has been made to remove them? A. Oh, yes; sometimes the Central Prison bailiff will come and we will tell him how many there are; but unless he happens to drop round again later in the season we are obliged to keep all the prisoners who are sent to the gaol after the assizes. We don't communicate for months.

Q. Have you any suggestions to make with regard to the management of the gaols? A. I was desirous of saying that where prisoners are sent up for trial and remain a long time, there should be some modification in the dietary. A man arrested on suspicion and committed for trial, although perfectly innocent, is not allowed to buy food, nor are his friends allowed to supply him with any. He might be remanded for several weeks on suspicion and have to live on the ordinary prison fare that is allotted to the convicted criminal. I do not think that this is fair; I think that such a man should have different treatment. Another thing I would say, that every prisoner should have a spoonful of syrup in his gruel. The dietary rules make no provision for it.

The Chairman.

Q. Don't you know that the gaol surgeon has a right to order certain dietary to a man suffering from any illness, or to change the dietary in the case of any person whose condition may, in his opinion, seem to require it? A. In many cases the gaol surgeon objects.

Q. If he objects he is wrong, report him to the inspector? A. The gaol surgeon does not interfere unless it is some case where a man's condition is serious. Supposing a man comes in waiting trial and he wants something different from the ordinary gaol fare, yet his condition is not such as to warrant the interference of the gaol surgeon, there is no authority for the gaoler to give him anything beyond the fare provided for the ordinary criminal I would like to see it left to the judgment of the gaoler, so that if a change is necessary to be made in the food he may make it. Coming now to the case of children,

those little, vicious, ragged, filthy-looking children, who are wandering about the streets; I would suggest that they should be taken away altogether from those influences which are so injurious to them. I should like to see them removed before they have done anything of a criminal character. They should be placed in an industrial school, where they could be taught to be useful citizens.

JOHN CAMERON, Gaoler, Woodstock, sworn.

The CHAIRMAN.

Q. When were you appointed gaoler? A. In October, 1867.

Q. With the number of prisoners you had last year did you succeed in getting anything approaching a perfect classification? A. Oh, no, it was impossible to get it.

Q. Did you attempt it? A. I did, where I could, where it was practicable.

Q. Do you keep the boys separate from the adult prisoners? A. I always try to keep the boys separate, but there is no classification of the females; they have only got one corridor. We put good and bad, young and old, together; we have no means of separating the youthful sort from the old and hardened.

Q. Have you associated prostitutes and girls committed for first offences? A. Yes.

Q. Could you conceive of anything worse than that? A. I always regard it as a school of iniquity; I got an addition to the kitchen with a view to keeping innocent persons and youthful offenders away from the more hardened criminals. I got the committee to recommend this, but the council put their foot upon it. I have represented to the council the state of things I have described just now, but they don't seem to grasp the difficulty.

Q. Do you think this indiscriminate association of prisoners has a tendency to increase crime? A. Decidedly I do. I cannot mention particular cases, but it cannot be otherwise.

Q. Were those committed for drunkenness for the greater part habitual drunkards? A. Most of them have been committed several times; some three or four times; and some as many as twenty times.

Q. What was the character of the vagrants? A. There were all kind of vagrants—what we call the professional tramp, he who won't work, who is physically and mentally incapacitated for it, and then there was what is called the "bummer," who works on the railway during the summer and drinks his earnings, and then when the fall of the year comes round is as poor as when he started, and is obliged to seek shelter in the gaol. There are some of this class who will work for a short time, and there are others who will not. There are 20 or 30 who are poor, homeless people, committed as vagrants who should be supported by the townships or the districts to which they belong. They ought never to be taken into the gaol; but we have no institution for them at the present time, and their relatives and friends are unable to take care of them.

Q. If you had an industrial prison for criminal vagrants and habitual drunkards, so that these would be all removed from the gaol, would you then be able to make a proper classification of your prisoners? A. After an expenditure of $500, or $800, or $1,000, we would be. We want in our gaol a room for juvenile offenders where they can be kept apart from the men; a room for insane persons, or something of that kind; three or four more rooms than we have at present. Our present means of classification are very defective.

Q. What has been your experience with boys under 16. Do you think the association of these boys would be just as bad as if they were placed with older prisoners? A. I do. I would have a separate ward for them; but I also wish you to understand that I am diametrically opposed to boys or children being brought into the prison.

Q. Do you think it would be possible to have a perfect separation and classification without cellular confinement? A. I am not in favor of what is called cellular or separate confinement for any length of time. It would be injurious to the intellect, and health of the child. Of course, for a short time, while the prisoner was waiting trial or removal, it might be desirable to have him confined in a separate cell.

Q. What would you do with a man who came in immediately after one assize and was waiting trial at the next assize? A. The gaoler ought to be able to discern the character of the person committed. Some young fellow might be charged with stealing a horse, but he ought not to be classed with the old hardened offender who has been stealing horses all his lifetime. I would not classify men like that at all. I would keep a man by himself and I would keep a boy by himself; I would classify prisoners according to their habits.

Q. How are you to know? A. I would classify them by their physiogonomy and their antecedents. I would go in for cellular classification as far as I could, but I would not continue it for any length of time; I do not think it ought to be continued for six months because it would injure the man's health and intellect I believe the object of prison discipline ought to be not so much the punishment of the prisoner as his reformation, and so far as that goes I think that the cellular classification is of material assistance provided it is not continued too long.

Q. If a prisoner could, through cellular confinement, be kept free from association with other prisoners from two to six months—which of the two evils—association with other prisoners, or solitary confinement for such periods—would have the worst effect upon him? A. I think it would be better to keep in separate confinement those who I would judge would be tainted by association; those who have any moral feelings left in them I would not allow to be contaminated.

Q. Do you think this discretion might be left to the gaoler? A. Yes.

Q. Of the 15 boys committed last year, how many were proper subjects for the common gaol? A. My theory is that no boy should be committed to the gaol, or should be allowed to go forth to the world with the stain of being called a gaol bird, no matter how serious his first offence might be. I would detain him in some place other than the gaol. I would put him in charge of a policeman until he could be sent to an industrial school. It is about the worst thing you could do to send him to gaol. If they get into the gaol they very soon get perfectly at home; and once they get hardened and callous they are ruined for life.

Q. How long does it take them to become thoroughly at home in gaol? A. Sometimes only three or four days. If you keep them there for a month they are perfectly at home.

Q. What were the sexes of the fifteen youths committed to your gaol last year? A. There were six girls and nine boys.

Q. What were the girls committed for? A. One was for obtaining goods under false pretences; the rest were for vagrancy. The girl who was in for obtaining goods got off; the others were sent to the reformatory. They were all under 16. Their parents were generally of low character. Two of them were committed twice the same year. Number one was committed twice and the first time she was let off, but the next time she was committed to the reformatory. Of the nine boys, four were for vagrancy, one disorderly conduct, one larceny, three for destroying property. One had stolen; but eight were neglected children who had never committed any crime.

Q. In cases of that kind, do you not think that the industrial school would be the better kind of treatment? A. I would send these to the industrial school. I think that the State is responsible for the bringing up and educating of these children. They ought to be educated and trained to do what is right, and not punished. I do not think that any of these children should have been sent to gaol. There was but one sent in for a second offence, and in my opinion none should be sent to gaol unless for a second offence. If it is found that the parents are not capable of bringing them up, of exercising proper control of them, the State should take charge of them and educate them where the parents neglect their duty.

Q. Have you observed what the effect of the Central Prison custody has been on the prisoners sent to it from your gaol? A. We have sent now and again men to the Central Prison the second time, but I do not know that we have done it often. I look upon the Central Prison as a regular deterrent; criminals are afraid of it. They would rather go to the penitentiary by all means than go to the Central Prison. They are afraid of the strict discipline. I think it is stricter than anywhere else; and of the hard work. I think it would be a good thing to have another of the same character in the west, and that the Vagrant Act should be changed as to commit this class for not less than six months and not more than two years. I believe if you had such an Act you would drive every vagrant out of the country except those who went to the poorhouse. I would do this at once with the professional vagrant. He is something like a wild animal, you cannot do anything with him until you capture him and put him to work. You cannot teach him to work in much less than two years. I look upon work as the great corrector of morals in the human family. Men who have got industrial habits are not likely to be in danger of falling into any trouble of this kind. I would recommend one or more institutions where you could have work provided for this class, and the appliances for labor. I think it would reduce the number of these habitual criminals and drunkards.

Q. Do you think that a large number of the drunk and disorderly classes who are now dealt with in the common gaols would be benefited by this treatment? A. I do. I should say that on a third conviction, they ought to be shut up for an indefinite period. It is the only hope of deterring them from these habits.

Q. Do you find that vagrants are generally thieves? A. The professional vagrant as a rule will steal nothing further than a pair of pants? They are sent to gaol when the policeman drops across them.

Q. What do you think of making them break stone for their meals? A. I do not think you would do much good that way. You might drive them away to some other place, but you would not cure them of their habits; in fact I am doubtful if you could drive them away. My remedy would be to put them in an industrial prison and keep them there, and when they become wholly incorrigible I would shut them up for life.

Q. There is an idea abroad that the Government should take control of the gaols, have you heard of it? A. I am one of the originators of it; I am decidedly of opinion that no reformation can take place in the prisons unless the Government take the whole control and management of the gaols into their own hands. I think that the Government would not be censured for doing it. They might be confronted with a bugaboo about centralization but I don't think that there would be any objection to the change, so far as the majority of the people are concerned.

Q. Have you much difficulty in getting your ordinary gaol wants supplied now? A. No, but any considerable expenditure that might be required to carry out improvements, we have quite a trouble in getting sanctioned.

Q. Do you think it would be an incentive to greater efficiency on the part of the officials if there was a prospect of their being promoted from one gaol to another? A. I think it would be a great incentive.

Q. Have you any work in your gaol? A. None in the sense of hard labor. I think that all labor ought to be carried out with a view to the reformation of the prisoners, and that is more than can be said of our present system of gaol treatment; for instance, we had to send a man to the penitentiary lately, who was over fifty years of age, for horse stealing. Out of those fifty years he has spent twenty-five in prison. If this man had been reformed when young, and his talents drafted in another direction, what a quantity of money and litigation would have been saved to the country. He must have gone through the mill no less than a dozen times anyway before putting all those years in.

Q. What are your views as to the chief causes of crime in the country? A. I have come to the conclusion that the chief cause of crime boiled down through different sources is idleness. A great many people mistake this for drunkenness and say that is the great cause, but I say that the man who is idle, improvident, shiftless, is likely to become a drunkard; of course idleness brings him to intoxication, and leads him to the habits of an inebriate. Idleness I look upon as the very source of crime. That can be seen by watching the career of a boy who grows up under the influence of that habit. From this all other evils spring. The old saying is true, Satan will always find something for idle hands to do. The next is liquor; the third, and to a less extent, is sensuality. You can trace the origin of every crime back to these sources.

Q. Do you think that there are some criminals of the professional order—who are neither idlers nor drunkards? A. Well, they are idle, inasmuch as they do not work to earn their living in a legitimate way; but they may not be drunkards.

Q. Now as to sensuality, you say that this is a great cause of crime? A. Yes, this arises from the low grade of society and from bad environments. There are persons who have been raised to a certain extent in an atmosphere of vice and criminal life, and sensuality will bring out this disposition to crime which is inherent in their nature. It will bring out such crimes as assault with intent, felonious wounding, indecent assaults on children, and other offences in the same category.

Mr. Jury.

Q. Can you give the Commission a cure for idleness amongst children? A. I would keep children employed at something or other, at good honest play or something else. There is not the slightest harm in good honest play, a game of lacrosse or similar amusement. These tend to develop the muscular system.

Q. What would you do with idle men? A. I would make them work; if they were tramps I would send them to prison for two years.

Q. How do you account for sensual crimes among the rich, who are in good surroundings, who may be said to have the highest ideals of life before them. A. This does not always follow. Some of the richest people of the world have the lowest tendencies—the very worst tendencies in this respect.

The Chairman.

Q. If there was proper bedroom accommodation for the children of the poor in these low class dwellings, don't you think that would be an improvement in morals? A. I think it would, where the children all sleep together in one room it develops sensuality.

Mr. Jury.

Q. On the other hand, don't you think that vice is just as prevalent amongst those who have the best homes. A. I think so You have seen the results of this in England during the last year or two. To my mind there is no better way of keeping men's passions under subjection, than by work. It does more than anything else to promote proper feelings—proper ideas of life. Work generally keeps men all right. It is the greatest blessing that the Deity ever bestowed upon man to compel him to work for his living.

Dr. Roseburgh.

Q. I presume you saw the report of the Prison Reform Conference in October, and know the resolutions that were adopted? A. Yes, I was there. I am in favor of the resolutions in every way. They are based upon the Elmira system so far as I remember. It is of the greatest importance to give young men between the ages of 16 and 30 a chance to reform. If a man becomes a hardened sinner at 30, the chances are that he will remain so for the rest of his life.

Q. Do you believe that the church and Sunday school exercise a beneficial effect? A. I do. I know that crime has become less heinous—less prevalent now than it was 20 years ago, and I am satisfied that the Sunday schools and the churches, the moral training that the prisoners get, the more enlightened treatment of the masses, the spread of education are all factors in bringing about this result.

Q. Have you any religious services at your gaol? A. We have two services every Sunday. People come who conduct the services and talk to the prisoners. I am certain that all these influences for good that are in operation now will have a grand effect upon the future of humanity.

Mr. Jury.

Q. Have you many re-commitments to the gaol? A. Oh, yes, a great many. We had 75 last year in the second time, 29 in the third time, and 42 the fourth time. These were old and hardened characters many of them, who have been going down hill for a number of years.

Dr. Richard Maurice Bucke, Medical Superintendent London Asylum for the Insane, sworn.

The Chairman.

Q. When were you appointed to the position of superintendent at the London asylum? A. On the 15th February, 1877. I was first appointed to the Hamilton asylum in January, 1876.

Q. Have you given much consideration professionally and otherwise to the subject of heredity? A. I have given some consideration to that subject.

Q. Do you think that criminality can be transmitted from parents to children? A. Undoubtedly.

Q. Do you think, or do you know, whether in the case of a child born of criminal parents, but severed from them and placed in good surroundings with proper associations, the taint of dishonesty or crime inherited from the parent would still follow the child? A. Unquestionably.

Q. And would it come out if the individual were placed in circumstances where it would be developed? A. It certainly would come out in one form or other. It probably would not come out in the same form in the child which had been well brought up in later years, as it would have done had the child been reared amongst criminals.

Q. At what age do you think should the child of criminal and vicious parents, brought up in criminal surroundings, be separated from the parents in order to accomplish some good by placing it in a better position? A. I am doubtful of much good being accomplished by separation at any age, but if any good at all is to be effected, the child should be taken away from the parent at a very early age.

Q. Will you explain the theory of the hereditary transmission of crime? A. Well, there is a class of men and women who are largely devoid of what you call moral nature

or moral consciousness in the community. This class is being recruited by atavism, and it is also dying out, and members of it are advancing into a higher class. I think the criminal is a defective individual—born so, not necessarily born of criminal parents—it may be partially idiotic, partially insane parents, or the personality may be determined by congenital influences not hereditary. Children are born who are neither criminals nor insane, but being conceived under certain conditions they are imperfect—conditions of great distress or trouble oppressing the minds of the parents I have known such cases. Many influences determine, many circumstances surround the origin of a new individual besides heredity, and these would be sufficient to determine his future. But this is a secondary matter. The great matter is heredity. Heredity governs everything, speaking broadly—heredity is the thing that governs us all, men, women, animals and everything else, although these other subsidiary causes come in as well.

Q. Do I understand you to say that moral attributes are undoubtedly transmitted? A. Undoubtedly, everything is transmitted—physical traits—moral traits—acuteness of sense—everything. The structure, the skin, the age at which the hair turns grey—everything.

Q In that case then, the question of the treatment of the children of criminals is a very difficult one to deal with; for what are you to do with a child that is brought into the world with this hereditary taint in its blood I understand you to say that if you remove it from the environment of crime, the criminal disposition would still come out in some form or other? A. Yes, almost certainly.

Q. Do you think that physical deterioration is likely to manifest itself in the children of criminal parents who have lived lives of excess? A. I think so. Insanity comes from that—it frequently comes in that way, and so does criminality I think—it comes from a deterioration of the high nerve centres more than anything else This is the kernel of the whole thing: The moral nature of man is only a few thousand years old, it is only about three thousand years since man had a moral nature. It may be a hundred thousand years since he had an intellect, for the intellect is much older. The same thing is true of the color sense. The color sense came into existence during the last few thousand years. That being the case there are continual lapses in the color sense One person in every sixty in the British Isles is devoid of color sense. Now, man's moral nature is only about as old as the color sense, and there is something like one person in sixty with no moral nature at all, just as there are one in sixty without the color sense. This stands apart altogether from the other senses. Animals have these to some extent; the dog has shame, fear, a sense of reward and punishment, but as civilized man understands the moral sense, it is essentially a human institution This being so, the color sense being of such recent development, there are continual lapses. The intellect being much older than the moral sense, there is only one person in every five hundred or in every thousand born without an intellect. This is atavism—in this case there is a lapse. There are lapses of the color sense, as, indeed, of every function; but the oldest established functions lapse the less often.

Hon. Mr. Drury.

Q. Then as time goes on, insanity ought to be somewhat more rare? A. Insanity belongs to a different category, but idiotcy will no doubt be weeded out occasionally.

Q. And is this the same law that governs the physical world. Do you think it is what we see in the low type and unimproved form of the domestic animal? A. It is the same law precisely. Just as when you cross an ass and a horse and have atavism and the stripes on the neck that mark some of the lower forms of this branch of the brute creation, you will when you cross Indians and Caucasians, or Indians and French, you get atavism—you get a very vicious progeny.

The Chairman.

Q. Do you hold the view that crime and criminalty are largely the result of the defective or undeveloped moral nature which has come down from progenitors? A. Yes

generally comes down. Or it may have been generated in the individual—it may be atavism and not the result of criminal parentage.

Hon. Mr. ANGLIN.

Q. What do you mean by atavism? A. Well, it is generally understood to mean a lapse.

Mr. JURY.

Q. Breeding backwards is it not? A. Yes.

The CHAIRMAN.

Q. Does not this theory affect a man's moral responsibility for his actions? A. I do not see how it does.

Q. How does it affect the theory of evolution? A. It is part of the theory. We have left the original man. He was the original proprietor. We separated ourselves from him, and now we come back to his ground to displace him. We are the newcomers.

Dr. ROSEBRUGH.

Q. I suppose Dr. Bucke's idea is that if we are exactly as we are made we cannot be held responsible for our actions? A. It is a matter of structure and function. You cannot have a great intellect in a diseased or mal-formd brain. You cannot have a great intellect with sulci shallow. A small head was never known to contain a large brain; neither can you have high consciousness Of course it does not necessarily follow that a man who has a large head is an able man.

Q. Are these views in full accord with those of other alienists? A. I do not think that I have said a word that would not be fully concurred in by all of them. These are the common places that we all stand upon. Unless there is some extraordinary individual who has not taken up the entire theory of evolution as a reading man and a scientist,

The CHAIRMAN.

Q. What would be the best method for the treatment of criminality in children? A. In the first place, I am thoroughly opposed to punishment. I look upon all punishment as simply revenge, neither more nor less than a barbarous thing. I am perfectly certain it does no good; I am perfectly certain it does harm to the people who endure it, to the people who inflict it, and it does harm to the community in which the system exists. In the second place, I would recommend that the rights of the civilized portion of the community should be protected against the savage. It is just simply this, that we law abiding citizens are more civilized than the criminals, and those who are civilized have a right to protection from the savages. I would not punish savages any more than I would punish animals, but they should be prevented from the perpetuation of their degraded race, and I would try to prevent that as far as possible.

Q. Would you control marriages? A. I would undoubtedly control marriages.

Q. Are well-considered marriages the greatest factor or agency in developing a perfect humanity? A. I think that marriage is the best thing, and therefore I would say control their marriages; and I would say also that their seclusion as far as possible would prevent their doing mischief. Coming now to another phase of the question—a more practical part of it—there are associations formed in England for bringing out to Canada what are called gutter children from the slums of England, Scotland and Ireland. Thousands are brought out by these organizations. I think this is scandalous and outrageous. I think it is ridiculous for us to allow this to go on. These people might as well collect small pox and typhoid fever and send them out. It is just adding so much more to the numbers for which we have to provide. These are not only savages, but they are nearly all diseased savages.

Q. We had in the common gaols last year, out of about 12,500 commitments, over 6,000 persons committed for drunkenness and disorderly conduct; a great number of them habitual drunkards with all the vices that are attendant upon drunkenness. Now, what in your opinion is the best way of treating this army of moral defectives. Do you think this state of things is hereditary also? A. Of course. It comes from being of a low type. You know perfectly well that savages will drink. It is just the same with these. Such punishment as committment to gaol does harm. I would systematize our reformatories for this class. The great thing would be to seclude them, to try to make them earn their living—prevent them from bringing others of their kind into the world. To send them to gaol for a few weeks or a few months is worse than nothing—in fact it is about the worst thing you can do, for they come out in better condition and with their appetities whetted by enforced abstinence to repeat their offences. As for reformation in the gaol, it is simply ridiculous to think of it.

Q. Do you think it would be a good thing to send the habitual drunkard to an industrial prison, keep him there for an indefinite time, and give a portion of his earnings to his wife and family, or to whoever may be dependent upon him? A. That would be undoubtedly an advance on the principle that is adopted now; but I am not prepared to argue that the drunkard can be reclaimed.

Hon. Mr. Drury.

Q. Have you not seen the family of a man who has died a drunkard nearly every one abstain from intoxicating drink; and the majority of the family of a sober, industrious man become drunkarks. How does your heredity account for this? A. I believe that drunkenness is the result of heredity every time, but it does not follow that the parent is addicted to the vice of drunkenness. It may be some other member of the family, from some ancestor, or the source from which it springs may not be drunkenness; it simply means that the person inherits a low moral nature—it does not follow that he inherits drunkenness specifically.

Q. Can you not assume that there are individuals who have no hereditary taint, and that these might acquire an appetite, and ultimately become confirmed drunkards? A. I can imagine such a thing happening. I do not think that people become vagrants, drunkards, criminals, prostitutes, however, unless there is a hereditary taint—unless they are born defective—different from other people who do not go that way. I believe that it is the initial thing in nearly every case. I do not believe that persons who are really good hereditarily ever become drunkards or vagrants.

The Chairman.

Q. Still, there are many instances where people in the very best and most intellectual society are addicted to all forms of vice? A. These people are not hereditarily as perfect as a laboring man.

Q. Take this case: I know a family of sons and daughters brought up under the best influences, with the highest advantages as regards culture, education and training: but one boy becomes a drunken criminal blackguard who is absolutely uncontrollable; does this do you think go back to some more or less remote ancestor from whom he has inherited this tendency to evil? A. Undoubtedly. You see in families who are, generally speaking, all right, one will be a lunatic, one will be an idiot, and you cannot trace the cause to anything in the immediate surroundings.

Q. I can quite understand that idiocy might be the result of trouble at the time the child is begotten, but it is more difficult to understand a criminal being so born? A. Well, I claim that in each case there was a congenital defect. In the one case the defect is more glaring than in the other. The congenital defect in the idiot may be apparent amongst half-a-dozen brothers and sisters; and the other, which is the less defect, may not be so apparent. You can believe the greater but you cannot believe the less.

Hon. Mr. ANGLIN.

Q. Holding these views, you would not anticipate any great results from remedial measures as regards this class? A. I would not. I had with me for some days recently an old quaker friend from Philadelphia who has been for forty years visiting prisons and trying to do good to prisoners. I wish you had seen him. He visited this gaol in London, and he says it is a shame and a disgrace to civilization. He says this as a man who has been visiting gaols. He is one of the most delightful men I have met; spends his time and his means in doing all the good he can, and he does not believe in the reformation of criminals. He says there is no such thing as reformation, and he has visited gaols by the hundred and belongs to an association that makes it their object to accomplish this.

The CHAIRMAN.

Q. But may it not depend upon the standpoint he speaks from. Many men may have gone to gaol whose reclamation may still be possible? A. He says that people that go to gaol may not be much worse than others who are outside; in fact, many of them are better; but he says that the equipment they started out with they will carry through life, and it is impossible to eradicate or change it; and I believe this man is perfectly right.

Q. Do you really think that nothing can be done by taking in hand a person in early life? A. You may do something but it cannot be much.

Hon. Mr. DRURY.

Q. Assuming that a boy born of criminal parents, is taken from his mother immediately after birth and placed in a good wholesome moral atmosphere—he shall not even have had the contamination of his mother's milk, do you think that that boy will be a criminal in all probability? A. Yes.

Q. Then the work of this Commission should come to an end at an early date? A. It is quite possible that the boy would not steal, and would not do lots of things that he otherwise would have done, but the boy's nature was determined—nine-tenths of it—before he was born. There would be a low nature there. There are lots of people of low nature who do not commit crime, who are cowards, and who evade the law; perhaps viler members of society a thousand times over than those who go to gaol.

Dr. ROSEBRUGH.

Q. I suppose as you believe in the doctrine of evolution, you believe in every effort being made to raise all those who are of a low nature, and one means of trying to improve society, and of arresting criminality, would be to take charge of the children of criminal parents and rear them under better influence? A. It would be a step in the right direction anyway. It would undoubtedly do some good.

Mr. JURY.

Q. Admitting that 99 per cent. of the whole race have made an improvement on their savage ancestors, but that 1 per cent has lagged considerably behind, don't you think that this 1 per cent. is amenable to all the influences that have ameliorated all the 99 per cent. in the past? A. No doubt of it.

Q. Do you think that partial or general paralysis, a predisposition to crime, drunkenness, predatory symptoms generally, a tendency to commit theft, violence, or even murder, are the results in some cases of venereal excess. In the preface of one of his sociological works, Dr. Maudesley gives instances of this kind? A. I cannot imagine that happening. They would be attributable to some other causes.

Q. Don't you think that if a man who is likely to become a confirmed drunkard, is taken in hand early enough, before his physical condition is shattered, and before the influences of alcohol has become too deeply rooted he might be saved. A. I do not doubt

but something might be done, but it is very hard to tell just at what point you should take a man in hand. We know that with many of these men, even when the whiskey is taken thoroughly out of them, the first thing they do when they get an opportunity is to get drunk again.

Hon. Mr. Drury.

Q. You think that inebriate asylum work has been a failure? A. It has been a perfect failure. It has been given up everywhere. I would treat drunkenness as I would treat vagrancy, and petty thieving. Men who are addicted to these things are all of one class.

Q. And you think that the law should not pursue the criminal in a vindictive spirit at all? A. No, I am sure not. I think that the attitude of society towards the criminal should be self-protecting—an attitude of benevolence; I look upon the criminal as a defective fellow creature, and we want to do the best we can for him and for ourselves; but I would never loose sight of one thing—prevent the propagation of this class as much as possible. Now there was a woman named Jukes, whose history was told in a little book that has been published and discussed greatly. She was responsible for I think bringing 126 of a criminal progeny into the world, thieves, prostitutes, and other degraded persons. This is an object lesson as to the necessity for preventing the propagation of the class.

Q. Is capital punishment right in your opinion? A. No, it is all wrong. It is a relic of barbarism altogether.

Dr. Rosebugh.

Q. Some of the gaolers and other authorities tell us that crime is largely diminishing; that the world is being made better by churches, Sunday schools, by good influences, better social conditions of various kinds. I suppose you would hardly agree with this? A. Oh, yes, I do not see anything out of accord with that in anything I have stated to you to-day.

The Chairman.

Q. It is a notorious fact that the number of criminals in England has been reduced within the last ten years by about 40 per cent. I suppose that shows the effectiveness of the methods of dealing with them? A. There is another thing—the race is growing out of criminality and the better conditioned members of the race can undoubtedly help the lagging individuals. You can help them by surrounding them with good influences—by stimulating them by ambition, just as you can help an average man and make him a better man—make him a more prominent professional man—a more prominent member of society. A clever able man will read; associating with others will improve him. There are none of us so good that we may not be improved, and there are none of us so bad that we cannot be improved.

Q. The question is whether these people, this class, can be lifted out of this condition altogether? A. I don't believe it. I don't believe it would pay to propagate this class. It is far better to propagate the race from the higher forms—the higher types of humanity.

Dr. Rosebrugh.

Q. You know that they do claim to have effected the reformation of criminals and to be able to send them out into the world well behaved members of society, thoroughly reformed. In some institutions they claim to have reclaimed as many as 80 per cent.? A. That may be, but those who have been sent to gaol or to these institutions may never have been criminals at all. Lots of young people have stolen a trifling article—I have stolen, and I might have been sent to gaol for it. It is the same with others; I suppose there is not a man in this court who has not stolen at one period or other of his existence some trifling thing, but that is not to say that he is a criminal. It is well understood in

the scientific world to-day, that there is a class of criminals who are simply lapses. The sulci area of the brain matter is not as large as in the well-developed man. They are born defective. You take those Elmira children as regards whom they make such claims: the chances are that a large number of these boys who are represented to the world as having been reclaimed would have grown up into decent citizens had they never been touched. I do not say anything against their going to Elmira, because it is a magnificent institution and it would do them a lot of good; but Elmia with all its scientific methods of treatment, and admirable educational resources, cannot reclaim the lapsed or criminal class that I speak of.

Hon. Mr. DRURY.

Q. Have you many inmates in your asylum whom you can trace back to importations from the Old Country of the kind you mentioned in the early part of your evidence? A. I have a good many of the importations themselves; but these importations have not been going on long enough for them to have children.

Q. I mean those brought out by the charitable societies? A. I have quite a few of those, I am never without some of them.

NELSON MOORE recalled.

The CHAIRMAN.

Q. Upon the question of the responsibility of gaolers, are you in favor of all gaolers appointing their own turnkeys? A. I am.

Q. You think that a gaoler ought to have full authority over all matters connected with the management of the gaol, and that he should have the appointment of his own officers? A. I do. In my opinion he can only be held responsible for their actions, if he has the authority to appoint them. I should not like myself to accept the responsibility unless I had the controlling power. I wish to speak about the treatment of prisoners when they are first arrested. I know that it is the practice of policemen to pick a man or a boy up in the streets and advise him to plead guilty, and I have been quite satisfied in my own mind that had they not through fear acted under his advice, circumstances would have been shown in their favour that many of them would have been discharged, sent out without a stain on their character, instead of being confined to gaol for a month or two months. The condition in which they keep these lock-ups is another matter which I think demands attention. The sanitary condition is bad and prisoners who come to us from the lock-ups are oftentimes in a terrible state. I think some competent person ought to exercise supervision over the lock-ups. I don't know who has the authority to do it, but certainly there ought to be some one. I know persons who have left them so ill that they have not been cured for a month.

Dr. ROSEBRUGH.

Q. Have you any system of classification in the lock-ups? A. I do no think there is any possibility of classification.

Q. Can male and female prisoners converse together there? A. They are sometimes put in together.

The CHAIRMAN.

Q. Surely not, that would be monstrous. A. Well they are very close together, and then they are left there by the policeman who locks them up, when he goes out.

William Thomas Trunks Williams, Chief of Police, London, sworn.

The Chairman.

Q. When were you appointed Chief of Police here. A. In October, 1877. Prior to that time I was a sergeant at the headquarters in Toronto. I have been twenty eight years in the police service. I was on the police force in England before coming here. I have been altogether in the service since the beginning of 1863.

Q. How many wards have you in your police station here? A. We have two corridors, and three cells in each corridor. Six cells altogether.

Q. Are they laterally extended or back to back? A. They are back to back. The cells are between the corridors.

Q. Do you keep one ward for women and the other for men? A. Yes, we always have a complete separation of the two sexes.

Q. Have they any means of communicating by speech? A. Not unless they shout very loudly, and there are always two men on duty who prevent them talking loudly. We have two rooms upstairs and we put the women in those when the circumstances render it necessary.

Hon. Mr. Anglin.

Q. When you speak of cells you mean the places which are used in exceptional cases for refractory prisoners. A. Yes, and we call our corridors the cells. We put our prisoners there at night. We have often as many as four men on the bench and they sleep there as best they can.

Q. When there are women upstairs there is a possibility of communication through the stove-pipe hole? A. The women are very seldom there. We don't have the women upstairs more than once or twice in the year.

Q. Don't you think the ventilation very defective? A. It is, but it is as good perhaps as it could be with things as they are.

Q. Do you think the accommodation is anything like what it ought to be in a city like London? A. I do not think that the cell accommodation is sufficient. Classification is almost impossible, except as regards the separation of the sexes—of all except boys. We usually put boys upstairs or into the female cells. We very seldom have women in Perhaps once or twice a week we have female prisoners.

The Chairman.

Q. Who has charge of the station? A. The station is under my direction generally, but there are always officers there.

Q. You have no woman in charge? A. No When women are committed, they are put by the sergeant or constable in their proper place. They are brought in by the constable and received by the sergeant or constable on duty, and put into the cell or corridor and left there during the night.

Q. Is there no matron? A. No matron.

Q. Are those committed in the afternoon and the evening, brought before the police magistrate on the following morning? A. Yes. All the prisoners arrested during the previous twenty-four hours are disposed of then.

Q. After the police court has risen, I presume you have to keep all the prisoners that may be arrested until the next morning. A. There are some exceptions to that. We admit some to bail, or on parole. I do this if they are known and a magistrate authorizes me to grant them bail, but for any felony we never do anything of that kind.

Q. For offences of a more serious character, and for charges of prostitution and the like you would keep them in the cells. A. They would be kept unless they are bailed by the magistrate. The magistrate often bails prisoners during the day and up to midnight.

Q. If a prostitute and a woman whose general character up to that time had been good, were committed, would you necessarily have to put them together? A. Yes, unless the sergeant removed the woman of good character to some other place. The officers have instructions to use their judgment in cases of this kind.

Q. After the prisoners are tried and remanded or committed, how are they taken to the gaol? A. They are marched down.

Q. How far is it? A. About three blocks. They go down Carling Street, which is a back street. We take them down in the patrol wagon as a rule, now that we have got one.

Q. What effect do you think that has upon prisoners charged with first offences? Do they appear to feel any shame over it? A. They do sometimes. They often ask not to be sent down with the police in uniform, and I sometimes send a plain-clothes man down with them. I usually do this with the female prisoners unless they are of a very hardened sort.

Q. When boys are tried are they brought before the open court? A. Yes, there is no private room for hearing juvenile offences. All cases are tried in the open court, except charges of indecency.

Q. What is your experience with boys who have been committed for the first time—do they seem to feel their position very much? I have strong feelings upon this point, I think that when a boy is once sent to gaol, the gaol has no terror for him afterwards. If anything could be done which would keep juvenile offenders—boys charged with first offences—from being sent to gaol, it would be the greatest thing that could be done for them.

Q. Have you ever known boys after having passed through the police court and the gaol, look upon gaol punishment with the same horror that they did on the first occasion? A. I have known cases of that kind but they are rare.

Q. Do you find that boys who have passed through gaol are sometimes looked upon as heroes by their companions? A. I have known cases where they are so regarded by their playmates. When I was doing duty at Toronto police station, I have seen these little fellows get up on the end of a barrel with others around them and relate their experiences. The boy himself thought he was a regular hero. After a boy has passed through the gaol he gets to think it is not so bad a place after all as he first imagined it to be.

Q. Is there any method or plan that you could suggest as being very much better for this class of offenders than the system that we now adopt? A. I think myself that an official birching for the first or second offence is the best thing in the world. The boy won't go and show his marks to his companions. I mean that it should be done by a police officer or someone of that kind. I would not apply the chastisement of the birch to a boy for the first offence. In the case of a small boy it is often thoughtlessly committed, and perhaps the boy is led into it by older criminals, and in a great many instances without realizing the seriousness of the crime. I find a lot of little boys whose parents are very poor, first picking up rags and bones, little articles that they find in old buildings. From this they go to stealing, and then they commit burglary and other sorts of crime without thinking that they are doing anything worse than they did at first.

Q. Does your magistrate put in force the suspended sentence system? A. Yes, in a good many instances. He takes sureties sometimes for the boys to come up when called upon.

Q. Is any supervision exercised over those out on suspended sentences? A. No, it is entirely left to the parents. We never interfere unless the boy falls into criminal ways again. In that case we would arrest him.

Q. Do the boys who pass through your hands generally belong to the criminal or drunken class? A. This is so in a great many instances. Perhaps seventy per cent. of them are the children of parents who neglect their duties.

Q. In cases of that kind, is it safe to commit the children back to their parents' care under a suspended sentence. Do you think it really does any good? A. I am afraid it is not very much good.

Q. Do the parents care much whether the boy goes to gaol or not? A. I find that this class of parents are really very much attached to their children. Nobody likes so much the children that get into trouble as the drunken and dissolute people. They make all sorts of promises of reformation and so on, but they are seldom kept.

Q. But take the better class of children who have gone astray, perhaps through the influence of others, and whose parents are respectable. Would the suspended sentence in their cases have a beneficial effect? A. I have known some of the children of the better class, and their parents have come to me often and said they were afraid of their going astray again, and they have asked me to caution them, and I have done so.

Q. Do you think that the suspended sentence has a deterrent effect upon the boy himself? A. I think it has to a certain extent. I have known whole families who would steal if the policeman were on the other side of the street. You cannot expect to do much with them. There are whole families in this town whose natural instincts lead them to steal. These children are very early led into crime.

Q. Do you think the gaol is the best place for even those who have been let go under the suspended sentence, and have fallen back into criminal courses again? A. I think an industrial school would be the better thing, where the boy could be kept from the older children who have led him into ways of crime. I would use every effort to avert putting him into gaol.

Dr. Rosebrugh.

Q. Do you believe that the gaol is of any service in the way of punishment and reformation, even to a very bad boy? A. No. I do not think it is any use at all for a young offender, whether boy or girl. Children charged with such things as breaking windows ought not to be sent to gaol. I would take their names and let them go again. In a town of this size the policeman who has been on duty for any number of years knows most of those running about the street. I think they should be summoned before the magistrate for these small offences, but not shut up in the lock-up or sent to gaol.

Q Do you think it would be a good thing if there were a large playground in a central place for these children to indulge in their youthful pastime under proper supervision. A. I think that would be a good thing if they would go there.

Hon. Mr. Drury.

Q. Do you think it would be a great thing to have legislation to empower the municipalities to pass by-laws in reference to boys being allowed on the street. A. I think so. It would be a good thing to have such a power conferred upon the local authorities.

Q. I suppose if boys were out as a rule late at night they would be noticed by the police? A. The sergeant would notice them and caution them, and if necessary bring them up in court, providing they committed any act that would justify his doing so. We would send the boy home if we noticed him in bad company.

The CHAIRMAN.

Q. Of the 1,050 commitments to the London gaol last year, I notice 540 were for drunkenness and disorderly conduct. Are the persons who were charged with these offences pretty well known to you? A. Most of them are. Perhaps one-half of them don't belong to the town at all. In the winter and in the fall of the year the commitments are very numerous. This idle class go to the gaol then in great numbers; some of them are committed three, four or five times over. Some are almost always in gaol. These have no feeling of shame about it. The only thing they want freedom for is to get whiskey and go around.

Hon. Mr. DRURY.

Q. If a man were seen staggering in the streets would a policeman as a general thing arrest him, although he was going home. A. If it were an ordinary time and not many people about, the probabilities are that the constable would assist him to get home, and advise him to get along as quickly and as quietly as he could.

Q. Do you think then instead of committing him again and again to the common gaol, that detention in the Central Prison would have a good effect? A. I think it would. I find that as a general thing prisoners fear the Central Prison. It is familiar to them all the way from Chicago to New York. We have had prisoners here from as far as Chicago notorious criminals who have come in contact with others—and the first thing they ask after their arrest is, "Will I be sent to the Central Prison from here?" They would rather take another year and go to the penitentiary than be sent to the Central Prison.

Q. Do you think it would be a highly proper thing for the Government to have more prisons of this kind established throughout the country? A. I think so. I know something of the prisons in England, and I noticed that unless they had hard labor, as they have now in all the gaols there, the prisoners would invariably pursue their life of crime. It was labor that they dreaded above all things.

Q. Have you heard from boys themselves or others how the Reformatory at Penetanguishene is viewed? A. No. I have known lots of boys go there, and they have come back and drifted into crime again. They go from the Reformatory to the Central Prison.

Q. Do you know any that have come back and are now living good lives? A. I know two. I know one whose father is a carriage maker. I have known several who have gone to the bad, who have committed other crimes and been sent to the Central and the Penitentiary, and so on.

Q. Do you think that many of these boys could be absorbed into the farming community? A. Not if once they have had a taste of city life. When boys come from the country into the city, it is a hard matter to keep them in the country again. They are always hankering to return to the city in fact, you cannot keep them in the country.

Q. Do you find that boys or girls brought out to this country from Great Britain by these societies, Dr. Barnardo, Miss Rye, and others, who have drifted into criminal courses, are a source of trouble to the community? A. We often have them; the girls especially fall into bad ways. Lots of girls who are prostitutes in this country are girls who have been brought from the old country. They get out into the country, they become unmanageable at the schools, and the people who brought them out don't report them. After a time they go into prostitution and drunken habits. Old country girls of this class are more apt to get into the way of drinking than girls of the same class in this country. I think very many of them go wrong through hereditary taint. They are not strong enough to resist temptation. They are physically weak. I am not talking of children who come out with their parents. I am talking of those brought up in the slums, and brought out for the purpose of being absorbed into the population here. I would recommend prohibition altogether for them. I would say, moreover, that besides

being undesirable citizens in themselves, their presence has a bad effect upon others. After they have been at work in the country they make for the cities, and sometimes they bring some country girls with them. I have often known girls of the class I have described bring country girls into the city. I can call to mind several cases; the police have found them here and have sent them home again.

Mr. Rosebrugh.

Q. Do you think those girls are properly looked after when they go among the farmers? A. I know that some of them complain that they have not been treated properly. I know that those who bring them out are understood to exercise some care over them and to see that they are treated properly. They pretend that they only select the best classes, and that those who are likely to go bad are prevented from coming here.

Hon. Mr. Drury.

Q. What is your opinion about that? Do you think from the results that the system of inspection is kept up as it ought to be? A. I do not think it is.

Q. We have examined a man who has brought out 3,000 boys and 1,000 girls, I believe, and he says that only two are prostitutes to-day, and he can put his hand upon those. What do you think of that statement? A. My experience is that they don't stay in a place any length of time, and I really don't see how he can put his hand upon all of them.

The Chairman.

Q. From your experience in England, Toronto and here, are you of the opinion that when people of the lower orders are badly housed in places where the sanitary arrangements are imperfect, where the divisions in the house, and especially in the bedrooms, are not properly made, this has the effect of producing prostitution in the community? A. I am sure it has. The careless way in which the sexes are allowed to mix together is productive of much harm. When people come into the hospital I find that that is a cause of their going wrong. There are lots of women who are picked up in the streets who come here for hospital purposes, and we have found that most of them, when they got into this way, had left farm houses. A man and wife and family sleep down stairs in a house, and the hired man, perhaps, sleeps next to the girl and, of course, the temptation to immorality exists and no care is exercised in the way of protecting the girl.

Q. Do you think that there are the same results in towns? A. I do not think that it exists to the same extent. But we find houses in which men, women and children are huddled up together; we find this occasionally but not often. Neighbors sometimes get in together, get drinking and lying about, both young and old of both sexes.

Q. You have had great experiences in connection with the criminal classes. What in your opinion are the chief causes of crime in the community? A. It depends upon the kind of crime. Crime seems to be born in some children. I suppose, perhaps, the chief cause of crime is a disposition to do without working—idleness, drunkenness in some cases. So far as juvenile offenders are concerned, the children of drunken parents are likely to drift into crime and vice, through their own bad habits, engendered by parental neglect. I find the criminal classes are usually idle, they will not work for an honest livelihood. I don't speak as to drunkenness altogether, because many people who are drunkards are great workers, when they are not in drink, and honest people also. But the professional thieves who prey upon society are idle and won't work.

Q. Except in carrying on their criminal calling? A. Yes, they are ingenious in that way; they chum together and they call themselves "the fancy."

Hon. Mr. Drury.

Q. Has crime increased in London since you came here as chief of police? A. No. We have much less crime than we had years ago, that is so far as felonies and larcenies are

concerned. Drunkenness also has decreased when the increase in the population is taken into account. I do not think that there is one-half of the drunkenness in London now that there was when I came here.

Dr. ROSEBRUGH.

Q. How do you account for this? A. The feeling is grown against it. It is not considered in order now, as it used to be, for a man to go about as drunk as a lord: to go into the bars and spend the day in drinking.

Q. Do you think that if there were a law against what is known as treating, it would be a good thing? A. I think so. If a barkeeper were prevented from giving drink to people who paid for each others drinks, it would have a good effect. Drunkenness is largely caused by the habit of treating, amongst young men especially.

Q. Do you think that on Saturday night early closing has a good effect? A. I do, I am sure it has.

Hon. Mr. DRURY.

Q. Do you think that our license law is now in a shape that is calculated to promote sobriety, or do you think it is practicable to make the law more stringent? A. I think so far as all the powers that can be given are concerned it is the best license law I have ever heard of or seen for the promotion of sobriety.

Q. Do you in a measure attribute the sobriety of the people to the improvements that have have been made from time to time in the license law? A. I do, but not altogether. But I may say that in a measure it was true, but if a man wants to get whiskey you may depend upon it he will get it. The law, however, prevents his going around on Saturday nights. The men who get drunk on the sly do not, as a rule, go round that way; they don't want to let everybody know it. Such men will get drunk if it is to be got in the country, and no liquor law will prevent them. I may say that there is no place in this city where whiskey is sold in the hours prohibited by law.

Mr. JURY.

Q. What about your "cribs?" A. We don't have any here.

Q. How about the houses of prostitution? A. There are no houses of prostitution that we know of.

Q. But you have got prostutites in gaol sometimes? A. Sometimes.

Q. Where do they come from? A. They come from other places and set up here, and as soon as we get to know of them we bring them up and get rid of them by the magistrate giving them six months unless they clear out.

Q. Do you think that it only comes to this, that young fellows get rooms and that the immorality which is usually confined to houses of prostitution is carried on there? A. I believe this exists to some extent in the cities.

Q. Has this practice increased here since the closing of houses of prostitution? A. I think it has. I know that before the houses of prostitution were closed I did not hear of it existing to any extent. Since that time I know that fellows have got rooms. These girls generally are living around the town, some of them at respectable boarding houses, and the people they are living with believe that they are working in a factory or in some other legitimate occupation. The officers have told them that these girls were not really working at all and advised them to send them away.

Dr. ROSEBRUGH.

Q. How many saloons have you licensed in London? A. I think there are between fifty and sixty altogether, saloons and taverns.

Q. If these were reduced to twenty-five do you think there would be less drinking? A. I think there would. I think a tavern is an inducement to a young man to drink, when he is on his way home in an evening. If there were not so many of them, these young men would not on their way home go into so many places for drink.

Q. Some people seem to have an idea that it would encourage unlicensed houses? A. I don't think it would. It has not done so here. If the taverns were locked up the unlicensed houses would not sell much.

Q. You don't think there are places of this kind in Toronto, do you? A. I do think there are places of that kind there. There are dives on York street and Jarvis and other Toronto streets where drinking was carried on, and no doubt the illicit drinking leads to crime.

Q. Some people go so far to say that there should be no saloons licensed at all? A. I have always been of the opinion that one of the worst things in connection with the liquor traffic is the grocery licenses. I know that they have an injurious effect upon the community. It is to these places that most of the youngsters go and get liquor for the old people. Most of the traffic in this city I am sure is done in this way, and they are harder to get at in the grocery store or liquor store than in the tavern. There are places where they have a glass partition the sole division between the groceries and the whiskeys. I think this trade ought to be stopped entirely.

Q. You recommend a reduction in the number of licensed houses? A. Yes.

Q. And would you increase the price of the licenses? A. Yes. If the number were reduced I think the authorities would be more careful in the selection of the persons to whom they granted the licenses. If a person committed two offences in one year against the license law, the license commissioners ought not to be allowed to give him a license another year I would restrict the number of hotel and tavern licenses and liquor licenses as well.

Q. How far would you go in this direction? I suppose you would have some limit as regards the population? A. I think that twenty taverns would be plenty for this town.

Q. Do you find that those who keep hotels here are very strict as regards the people they admit? A. They don't like to take females in. If they are at all suspicious of them they say, "We are full."

Q. Do you believe that it is a bad thing to have boys attend the police court? A. My experience is that there is a lot of loafers about the police court, and boys who frequent it are not likely to learn any good. If you see a fellow hanging about the police court from day to day, you generally find that it is not long before he is inside the prisoner's dock

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DETROIT, August 23rd, 1890.

Present: J. W. Langmuir, Esq., Chairman; Hon. Chas. Drury; Hon. T. W. Anglin; Dr. Rosebrugh; A. F. Jury, Esq.

Capt. JOSEPH NICHOLSON gave evidence.

The CHAIRMAN.

Q. You are the Warden of the Detroit House of Correction? A. Yes.

Q. How long have you held that position? A. Twenty years on the 1st of February next. Prior to that I was in the Marine Insurance, and I had a steamer on the lakes for a number of years.

Q. How old is this establishment? A. It was established 29 years ago. It belongs to the City of Detroit, but of course it is organized under the state laws.

Q. Is it for the reception of city prisoners? A. That was the object when it was established, but they have passed a law authorizing me to keep county prisoners and to make any arrangement that I may deem advisable as regards their keep and maintenance. Then we have a law authorizing us to receive prisoners sentenced as first offenders for felony here. This brings us close up to the state prison, and this is the only prison in the state for women.

Q. Are you authorized to receive United States prisoners? A. Yes. For such offences as violation of the revenue laws, counterfeiting, mail robbing, stage robbing out in the territories. I have quite a number of men from the territories. This is under a contract with the government at Washington.

Q. How many prisoners have you in the prison now? A. We have 399 men and 84 women. About 550 would be a fair average. Before the close of the year the numbers usually go up as far as 600.

Q. For what offences are the prisoners committed here, and for what periods? A. They are committed from the city police court for disorderly conduct for periods extending from ten days up to ninety. They are committed here from any county in the state for not less than 60 days and not more than ninety. Then we have an Act authorizing us to keep first offenders for felonies for periods running from six months to ten years. Then we have United States prisoners who come in for anything and everything. We don't take them for periods of less than a year, but for anything from that up to life. I have half a dozen life prisoners.

Q. Are all prisoners sentenced for definite periods? A. Yes. We have two or three establishments where men are sentenced under the indeterminate principle, but the system never works well where they mix them.

Q. What do you mean by mixing them? A. We must not have some definite and others indefinite. The indeterminate plan can only be made to work well where the men are committed for similar offences and where they are all subject to the same rules and conditions. To illustrate this here is a man who can shorten his term by good conduct because he is sentenced on the indeterminate plan; and another man whose conduct is perhaps better than his can do nothing to benefit his condition or shorten his sentence.

Q. What is your opinion of the indeterminate sentence system where all the prisoners are put together under the same conditions? A. I think it could be made to work very nicely with some restrictions. They are pretty liberal at Elmira; and still more liberal at Colonel Tuft's institution in Massachusetts. The only drawback to this system is that it creates deceit and is apt to lead to dissimulation. Any man will assume to be good for the purpose of reducing his sentence even when he is not.

Q. In other words, a man may be an excellent prisoner without any change of heart or character? A. Yes.

Q. Do you think this is generally the case? A. No, it is not generally the case, but you must look at the recommitments of these prisoners again: they will give you the best means of judging on this question. Then they have a special class of prisoners. A great many men are committed to prison for the first time under exceptional circumstances, a great many men commit offences from circumstances that are entirely accidental. These men would never go back to gaol again in any case. Then there is another class. Those who absolutely observe the regulations, and whose conduct is all that could be desired: these men come out and behave themselves for a little while and then go into another crime.

Q. What would you do with these? A. I would go still further with this class of prisoners. I would put them in for life. I would make them shew by some unmistakeable evidence that there had been a change of heart.

Q. What would you do with the confirmed criminal who makes crime his business? A. He has no right to be at large. I would shut him up for life.

Q. Do you think the indeterminate sentence would have good results if prisoners were selected in every case for first offences? A. Yes, I think so. Another thing, if all the states would join in it the parole system might be worked out most advantageously. I have got men paroled here. I have one in my mind here; say I will keep him a year and he is released on parole, but he must not leave the state according to our laws. He, however, gets out of the state into Minnesota and then it is hard to get him back again; but when we get the laws uniform they won't be so apt to saddle us in this way.

Q. Should the indeterminate sentence have the parole system attached to it? A. Certainly. I would not free a man absolutely. I would always make the provision when he was released on the indeterminate sentence, that if he should fall back into crime I would put him under the most stringent treatment. This system in Ohio is working quite well.

Q. At what prison? A. At Columbus penitentiary.

Q. How does the parole system work? A. Well, take a man coming from the eastern counties; this man has got a certificate to the county clerk that he is reliable and will do all that he is required. He is put to work; he takes a bit of paper with him and writes to the warden what he has done. If he changes his position he informs the county clerk. So long as you keep a check upon him every year and his conduct is good and he keeps away from drink and shews no tendency to go astray, they will never interfere with him and will give him finally his discharge. Of course before he leaves the prison it is necessary that work should be found for him, and then the county clerk is to an extent a guardian over him.

Q. Under this system of parole, does it rest with any particular official to grant the prisoner his release? A. The board usually has the jurisdiction in the matter of paroling the prisoners. If a man writes to the warden that he wishes to get out John Smith, and that he has work ready for him, and if the warden could recommend John Smith to be put out, he would as a general rule be allowed to go out; but he would not do so unless the conduct of the man while he has been in prison has been good.

Q. Must there be invariably some guarantee that work has been provided? A. Yes.

Q. Then at the end of the year he is discharged? A. Yes. Supposing nine months after a prisoner is committed his brother writes to him, "If you come out here I can give you a nice sit, nice steady employment." The prisoner can shew this letter to the warden and he may make his statement as to what he believes to be this man's prospects. The warden will get the board to grant his parole.

Q. On the whole do you think this system works satisfactorily? A. The only fault I have to find with the Ohio system is that the prisoners are received under this law definitely as well as under the indeterminate principle. They are all eligible for parole.

Q. You think this creates dissatisfaction? A. I think it does. I do not think it works satisfactorily.

Q. Would you recommend the indeterminate sentence system coupled with the parole system provided that there was an institution expressly organised for the purpose? A. Certainly I would.

Q. I am glad to hear you say this because you have got the reputation of being opposed to that system? A. I am so regarded simply because they have a lot of ornamental nonsense at these institutions, some going the length of having almost a university course of instruction at them, as well as a great many fantastical contrivances, which are inaugurated as reform measures; but which to my mind result in no good whatever.

Q. Before leaving the indeterminate sentence question, I would like to ask, do you

think that to a man who is meditating crime this system might be an incentive to commit that crime, having regard to the fact that he would probably be able to effect his liberation in a very short period? A. I would not sentence anybody under this system except for a first offence.

Q. A man will take the risk if he thinks he will get off with a year and a half that he would not take if he knew that the probable punishment for his crime would be seven or eight years? A. That is one of the risks you run, but you must leave it discretionary with the judge; I would always make the sentence dependent upon something with regard to the man's character, and if it turned out that he had studied the thing up in order to have a short sentence, I would hold him for the maximum period for the crime of which he was guilty.

Dr. Rosebrugh.

Q. This indeterminate sentence is associated with the parole system and is an important factor, for it enables you to bring the man back again if you find he has been playing the hypocrite? A. Yes. The parole is of great value as regards indeterminate sentences.

The Chairman.

Q. But this man might go to Mexico when you placed him on parole, how then. I suppose in that case you would not care so long as he was out of the community? A. No, we would not care in that case, we would be rid of him.

Q. At any rate, you would recommend the indeterminate sentence provided there were coupled with it the Ohio system of liberation on parole? A. Yes.

Q. Would you adopt the indeterminate sentence in such an institution as you have here? A. No.

Q. Then you would not recommend it for the Central Prison at Toronto? A. No, I do not think it would be a fair test. I would not have it applied to short sentenced prisoners.

Q. Would you apply it to a boys' reformatory? A. Yes, we do it here at the reformatories or the reform school.

Dr. Rosebrugh.

Q. Will it not be an incentive to good conduct for a man to be able to work a commutation of a long sentence? A. They get that now; we have that system in force. We have a good time law now which gives a remission of two months in the year. We have our records here, and if you go back they will shew you right along that there is entered each man's remissions. An account is kept of every man's conduct, and if he is guilty of offences against the regulations, or breaches of discipline, or destroying articles, or any other infringments of the laws that govern the institution, these are counted against him, and I take so much time off every year if they behave themselves.

The Chairman.

Q. Now as to labor. What system of work have you in this institution? A. Chair making.

Q. How long has it been in operation? A. Since the house started.

Q. Do you look upon it as an excellent industry for prison labor? A. I do.

Q. What do you do with prisoners who come in who have no knowledge whatever of woodwork or machinery? A. If a man can do nothing else we keep him handling lumber in the yard. Then we put him in the cane shop and teach him how to cane the chairs; then, if he is no use by himself, we put him to help some other fellow. The proportion of men who know this kind of work when they come in is very small.

The majority of those who come here are laborers. The way we usually place them is this: The foreman comes in the office after the prisoners are brought up and says, "What have you got this morning?" and I say so and so. He places them in the way he thinks best; he works a man at a bench for a time and if he is found satisfactory he will put him back there again, but if he sees he is a likely fellow for some other kind of work he puts him there, and then again he changes him if he does not find him satisfactory.

Q. Do you find that the 350 prisoners you have got can carry on all the operations of chair making without the introduction of skilled labor? A. Yes, I have simply got a foreman in the shop. I have got no other means of educating or teaching the men the work that we have here.

Q. Are this foreman's duties separate from those of the overseer? A. Yes, he is separate entirely; the overseer sees that the work is done; the foreman has the carrying of it out with the material at his command.

Q. Is the manufacture of chairs about as easy a mechanical operation as can be got for an institution of this kind? A. I think so.

Q. You have no difficulty with your short date men. You can use them all? A. Yes, we never find any difficulty.

Q. Have you any laws in the State of Michigan affecting prison labor? A. No.

Q. If you were restricted by law in the selection of the industry, would you be able to keep prisoners in full employment? A. If they objected to my employing them at one industry I would select some other industry. They tried to interfere with me some years ago, and we had to fight for this one industry.

Q. What system haveyou adopted in carrying on the industry here? A. It is what is known as the State account system; we buy the material and sell the product in the open market and pocket the money. I have the entire charge of the whole business. I keep the money in my own hands. I buy all my own material and I pay all my own bills; and when I want to make up my statement of receipts and disbursements, which is examined by the Board at the end of the year, I shew the whole working of the institution. I make up my annual report and I pay over to the City whatever surplus I have. My statement shews how much money I have expended, how much money I have earned, and how much money I have left, and this latter amount, as I have said, I pay over to the city.

Q. What was the financial result of your industrial operations last year? A. Last year we had a profit of $15,253.56, that was the profit over and above the cost of management, salaries and all the expenses connected with the industry that we carry on.

Q. Will you tell us how much your prison maintenance costs? A. Altogether, including clothing, bedding, and expenses in connection with the institution—provisions, fuel, etc., $61,676; I leave out of consideration the inventory of merchandise, which stands at rather less than $150,000. After all maintenance is defrayed, and after paying for all our material out of the products of the sales of the manufactured goods, the profits amount to $15.000 odd.

Q. And have you ever earned more than this in the way of profit? A. Yes, I have gone as high as $50,000.

Q. Do you think that there is any necessity for making a profit out of the prison? A. I aim at keeping the establishment going, and not at making a profit. I just make my goods and sell them, and sometimes they go beyond my expectations.

Hon. Mr. Drury.

Q. If your receipts were not equal to your payments, I suppose the City Council would have to find the extra money? A. Yes.

The Chairman.

Q. The prison then is self-sustaining in every sense of the word. A. Yes, and more; I make my own repairs. Here is an iron fence that I got now. The cost of that I defrayed out of the revenue. I put upon the chapel a new roof, and whatever other buildings I want I always have, and all I have got to do is to present my own voucher for it.

Mr. Jury.

Q. Don't you meet with any opposition on the part of any of the outside public? A. Not now, we are on good terms.

Q. Have you any opposition from the labor organizations, for instance? A. No, we had at one time, but not now.

Q. Or the manufacturers? A. No.

The Chairman.

Q. What effect has your institution upon similar outside industries? A. Well, there are three chair making establishments in Detroit now, and the industry has practically been developed since we began, and one of the three is larger than ours.

Hon. Mr. Drury.

Q. Do you employ travellers? A. One man only.

Q. Can you sell all that you require in the open market? A. Yes. We get the same prices as other manufacturers. We keep the rate that they do, but we make a better article in my opinion; in fact I am sure there is no better article made in the States than we turn out here.

The Chairman.

Q. Did you ever try the system of giving the prisoners a portion of their earnings? A. No.

Q. Do you think it would work well? A. If you could get some principle where all would be paid for their work properly it would not be a bad idea, but that is a thing that you would find some difficulty in accomplishing. One man might get into a shop and do as much work as two others, and those other two would expect to get the same proportion of their earnings, notwithstanding the fact that it takes so many more of these others to make a chair.

Q. If you discriminate I suppose it would give rise to jealousy? A. Yes.

Q. Do you look upon labor—hard labor of an industral kind—as a very important element in prison management and discipline? A. I think you could not get along without it very well. I think it would be cruel to put a man in idleness.

Q. Are the men that you get from the city mostly of the drunk and disorderly class? A. Yes.

Q. How many of that class had you last year? A. 1,304. The majority of them are sent in for periods from twenty to ninety days.

Q. How do they get on? A. Well, you cannot get much work from them at first.

Q. Do you find these men industrious when they get over the effects of their spree? A. If they would only work outside as well as they do inside the gaol many of them would be in comfortable circumstances.

Q. Do you give them a stint? A. No, we don't stint them.

Q. Apart altogether from the reform of the prisoner, do you think it is necessary in order to have good discipline in the institution that there should be a proper system of labor? A. I do.

Q. Do you think that prison labor interferes to any appreciable extent with free labor outside? A. I think it is a mistake to suppose that these men interfere with the ordinary mechanic. I do not think that we do any injury to anybody. Here we have our chair factory, and they have their chair factories outside. There is one that was started here with the material that they got from me; it was started under our own nose, and I offered no objections; in fact, when the occasion required I lent them a helping hand.

Q. Assuming that it is right not to conflict with outside labour, or to interfere as little as possible with it, would it be far better for the State to select an industry that is not in existence at the present time, and carry it out under the scheme of prison labour against all comers? A. It certainly would in my opinion.

Q. Would you prefer that to manufacturing goods that interfered with outside labor? A. Yes. I should pursue this course if I could. If I were a boot manufacturer, and if somebody started here and opened up a big prison under my nose with the same industry that I was carrying on, I would not like it; but if that person were to go and start another manufacture, start say the manufacture of shoes or pegs, I would take no objection; but I go with my eyes open and I take my chance.

Dr. Rosebrugh.

Q. Supposing you found it impossible to conduct any industry that would not affect outside capital in some way, how would you proceed? A. I would take the one that would inflict the least injury. I had another industry here, making cloth, and they ran away behind. I made some tests in the matter and submitted them to the Board. The Board of Managers said they were losing money; they were not making enough to pay their foreman's salary.

Q. They ran behind did they? A. Yes, they ran behind to the extent of $280,000.

The Chairman.

Q. Are you opposed to the contract system of prison labor? A. Yes. I think it is detrimental to the proper working of the prison. In my opinion the State Account System is the proper system.

Q. And that the work ought to be carried out by the Government? A. Yes.

Q. What about the piece price system? A. That it is simply a dodge to overcome the objections to the contract system, but they have knocked it out in New York now. It is this; I agree to give you so much for every chair you make for me; and then if I make a plough I get so much for it, and I use your material.

Hon. Mr. Drury.

Q. It really does not differ from the contract system to any great extent? A. It is only technically different. Instead of the man being employed at so much a day for his labor, the manufacturer pays so much for the article he produces. But the price agreed upon is supposed to be a price that will not permit the person employing the labor to undersell others engaged in the same business outside. In the Massachusetts State prison they sell the goods, make seats, and do the caning, and can send the manufactured article out at about half the price I can do it for. Any man that undertakes the work by this piece-price system would make more out of it than I can do. In the institution I have mentioned, I think they have got 35 cents a dozen the advantage of me in the matter of chairs. I don't blame the men for kicking against this system. There is no necessity for this. We are all business men and we go together, and we can come to a common understanding as to how we are to put our articles in the market.

Q. As a Superintendent of the Institution, have you the entire control of the staff under you? A. I control every movement of every man, woman and child about the place.

Q. Do you discharge your officers? A. Yes.

Q. Do you fix their wages? A. No. Every year I bring my pay roll to the Board, and if I want to raise the pay of any officer, I say I would like to have his pay raised; his services are worth more than we are giving him. The probability is, that my recommendation would be carried out; then as regards another, I would say, this man has got all he is worth. They invariably fix this every year and I just fill up the form; and that is my wages' sheet for the current twelve months.

Q. Who appoints your Board? A. The Mayor. Every man is appointed for a year. We have four men; my Board is supposed to be non-political.

Q. Do you think it necessary that the warden of the prison should have the power you are possessed of in regard to the employment of his men and the discharge of them? A. I think so. I regard it as highly important. If he is to have good order in his prison he ought to have full authority. I am sure I could not carry on this prison so satisfactorily if I had not the appointment of my own officers.

Q. Do you judge every man on his merits? A. Yes, sir.

Mr. Jury.

Q. You don't know any difference between Democrats and Republicans. A. No, I have got two men on my Board Democrats, and two Republicans.

Dr. Rosebrugh.

Q. I should like to know what you consider the minimum number of men that you can employ here at a profit? A. Oh, I think if I came down to 150 or 200 it would keep me pretty hard to get the accounts even.

Q. You think you ought to have at least 150? A. I think so. I keep 500 men cheaper than 300 men, and 300 cheaper than 100.

The Chairman.

Q. You have a similiar institution in the State have you not? A. We have one in Ionia, that is somewhat similiar to this.

Dr Rosebrugh.

Q. Supposing in Ontario several counties were united, would you recommend them to establish an institution such as this unless they could employ fully 150 men? A. I do not think so. I think 150 men in a prison, and at prison labor, would be equivalent to 75 or 80 outside men, not more than that; taking them altogether. Some good men will do as much as any man outside, but you have to take the average.

The Chairman.

Q. You are aware that we have got now what is called a Central Prison; it is an industrial prison like your own. Prisoners are sentenced to that establishment by the various Courts, and some are transferred from the common goals, where a warrant is issued for their removal. It is now felt that a large number of short date prisoners are left in idleness, notwithstanding the fact that we have this prison in the central part of the Province, in Toronto. The gaols in the east and west of the Province are a long distance from the Central Prison, and the inconvenience and expense of removing prisoners to it from the gaols are felt to be very unsatisfactory. Would you recommend the establishment of two more prisons of the same kind for short date prisoners so that all could be kept employed? A. I certainly would.

Q. Do you think it is possible to establish industries in the common gaols? A. No, not very well.

Q. Following out what Dr. Rosebrugh has just asked, do you think you could carry

on an institution of the kind we are mentioning with less than 150 men? A. I do not think you could carry one on with less; but I think with that number you could manage it very well.

Mr JURY.

Q. You say you have had trouble with the Trades and Labor Unions. Have you the same system now in operation that you had when the trouble existed? A. I had probably less trouble than any other manager would have, because they were in favor of the system I had. The trouble I had with them was that they tried to get in some of the laws, provisions which would have been injurious to me. We had no trouble as regards our system of work. They have always upheld me as regards that. I was visited by the Labor Commissioners. I had visits from the Ohio, Pennsylvania, Illinois, and the other Commissioners, and they universally endorsed my system of labor and the manner in which the work was carried on, as being less detrimental to the laboring interests than those adopted elsewhere.

Q. Have you always had the system of selling in the open market at the regular market prices? A. Not always. Before I came here Mr. Brockway had a contract for making boots and shoes which expired at the time I took charge.

Q. The objection was then to the contract system previous to your time? A. Yes, I dropped it, and there has been no objection since.

Q. Did you draw all your revenue last year from the labor of the prisoners? A. Not entirely. We get an allowance for board in respect to the prisoners that we get from the counties, which amounted to $21,996.70.

Q. That wipes off the profit that you made off your industry? A. Yes. Our industries just keep us. The institution is little more than self-sustaining.

Hon. Mr. DRURY.

Q. Do you get any profit off the food? A. We get $1 per head for the prisoners that are brought to us from the counties. The cost is about nine and a half cents per day per head; probably it runs about 50 or 55 cents per week.

Q. What number of women have you in your prison? A. 84.

Q. What are they employed at? A. Making clothing, mending, seating chairs, and washing.

Q. What crimes are they generally charged with? A. In fact everything up to murder.

Q Are they all from the city? A. No. For those who come from all over the State, the State pays $1 a week. From the city we get all sorts of offences; disorderly conduct; in fact, they cover the whole ground of criminality.

Dr. ROSEBRUGH.

Q. Have you any organization for looking after those prisoners who have served their sentences after they leave the House of Correction. A. We have one; they have an open door at the House of the Good Shepherd if they will go there.

Q. Do you find that this is at all a successful thing? A. In keeping these people from relapsing into crime it is of some service, but I cannot say a great deal about it.

Mr. JURY.

Q. Have you many boys here who have been in a reformatory for offences? A. Yes, quite a number of them.

Dr. ROSEBRUGH.

Q. You have heard of the disturbance they made at the Charlestown Prison against the Bertillion system of registration? A. Yes.

Q. Do you believe in this system? A. Yes. We have it in operation here, I will show you how it is performed presently when we go out.

Hon. Mr. DRURY.

Q. I suppose your argument in regard to labor is this: That if these men were not in prison and were good members of society they would be producers, and being in gaol they would no more come into competition with others than they would if they were outside? A. The only difference is that they are concentrated here at one occupation. These men are all employed at chairmaking and if they were outside they would be at harnessmaking, shoemaking, baking, carpentering and cigarmaking, and in some cases perhaps machinists.

Mr. JURY.

Q. As a matter of fact, would the majority of these fellows be working outside; would they not be loafing and throwing their time away? A. Oh, good numbers of them would be working if they were outside.

Q. You have over 200 in for vagrancy I notice? A. Yes.

Q. Would they be working? A. They ought to be working.

The CHAIRMAN.

Q. What is your system of religious instruction? A. Every Sunday morning we have religious services in the chapel. The preaching is conducted by some of the leading clergy in the city; and every fourth Sunday we have a Catholic service. Every Sunday afternoon we have a bible class conducted by a merchant in the city, and for the women in the afternoon a lady attends here and takes up this kind of work.

Q. Have you a library? A. Yes; we have got a library, which is greatly appreciated by many of the prisoners.

Q. Have you any secular instruction during the week? A. Yes, we have evening schools.

Q. Have you any entertainments, lectures, or anything of that kind? A. Yes. We will have these a couple of times a month when the weather is cold.

Q. What in your opinion is the general result. What effect has all this in the way of reform? A. I wish I could answer that question differently from what I have to do. I cannot say very much good has been done in that direction. There has been some good but not nearly so much as a great many people expect. I have ten or a dozen in the city here that I feel considerably proud of, and there are a great number of women and men scattered over the country; but compared with the whole it is discouraging.

Q. Does your treatment here do any good to the drunk and disorderly? A. I think short sentences have very little effect in this way. A man is in the habit of coming in here for drunkenness about twenty or thirty days, and this is just enough to sharpen his appetite for drink; he is burning for it. He will go out to-day and probably be back to-morrow morning. We have had some very successful cures of drunkenness in six or nine months, or a year. The treatment then may accomplish something, and there are opium eaters we have pretty nearly cured. We keep them at work. We break them off gradually. You cannot shut off opium as you could whiskey.

Q. What is the effect of your treatment on tramps. Does this enforced labor give him any rest for work? A. Not a bit. These are fellows I want particularly to catch. You cannot pick up a paper without seeing some outrage committed by this class. They know what the sentences are all the way from Toronto to Chicago; all through Ohio and Illinois. They commit some petty larceny about $2 worth, if they want to get in for the winter to some prison where the treatment is mild; they steal some little thing, a pair of

shoes perhaps, anything of that kind. They get three months and this sees the winter through and lands them until the summer comes on. After they have passed through December, January and February, they are taken into the sunshine again.

Q. What effect has hard work upon them? A. They get fat upon it.

Mr. JURY.

Q. Do you find work any punishment to the man who generally works when he is sober? A. No, idleness is a punishment to him. On a Sunday they even come to me repeatedly and ask me to let them work. I have allowed them to work on a holiday for their sakes It is a punishment to be kept in idleness.

Q. On holidays, do you supply them with books to read? A. Yes, and they have letters to write.

The CHAIRMAN.

Q. Do you give a liberal diet? A. Yes.

Q. Is this left to your discretion too? A. Yes.

Q. What is your system of punishment? A. We have various kinds of punishment. We keep them in front of the office sometimes; take their meals away from them. If a man is working up the good time law we take off five days; then as regards another, we put him in a dark cell by himself, give him bread and water, and occasionally a good slapping on the bare bottom. As regards whipping we very seldom carry it into effect. We have not had more than five or six in two years, but it is a potent medicine and works well after you have administered it. There is one great thing about this punishment question. A man can adminster a certain course of punishment every day and not be able to reach the offender, but by a little study how you are to deal with him you can bring him under subjection. There are some men who if you were to chop them with an axe would not wink, and it is no good punishing them in that way. We would probably get at such men through their stomach. I have seldom seen a man I could not reach in some way. I have had from Texas, some of the most notorious gangs of criminals that have ever pestered the country. I have had as many as sixteen in one batch, and very seldom have I had trouble with them. I have had more tromble with tramps than anybody; they are downright shirks and they won't work if they can help it.

Q. What is the chief cause of the drunk and disorderly falling into that habit. Is it hereditary with them? A. I think in certain cases it is. I have got pretty severely called over the coals several times because I was not philanthropic enough to treat them with some of the highly ornamental nonsense that has been suggested by a few of our advanced reformers.

Dr ROSEBRUGH.

Q. Have you an inebriate asylum in your city? A. No, sir.

Q. Do you think it would be an advantage to have one for the special treatment of drunkards? A. In some instances I have no doubt it would do good. If you could put them there and keep them there long enough. We have never had any success with drunkards in less than six months.

Q. A great many people seem to be of the opinion that drunkenness is not an offence for which they ought to be sent to prison. What do you think? A. I do not think that short terms of imprisonment do them any good at all events.

The CHAIRMAN.

Q. Take the class of drunkards that you get here and that we get in all our prisons. Do you think that an inebriate asylum would be a better place for them if there

were a system of labor connected with it, as in a well conducted prison? A. I do not know that it would, but it would remove the objection some people have of sending the drunks to gaol.

Q. What would you think of a special ward in an industrial prison? A. Well, it would depend upon the person, and it is pretty hard to tell what treatment would be most effectual in individual cases. It is only a little time ago that a young man went out of this prison determined to overcome the habit; he struggled hard, and I told him if he could not resist that this craving to come right back. He got six months, and now he is able to take care of himself. The treatment in his case was sufficiently long.

Mr. JURY.

Q. When you say that this institution is self-sustaining, do you mean that it pays your salary and the salaries of all your officers, and all the expense connected with it? A. Everything; repairs, and everything else; everything connected with the entire prison is paid for out of the proceeds of our labor, and the revenue for the current year.

Dr. ROSEBRUGH.

Q. Have you any societies here for taking men by the hand when they leave the place? A. We have one; it is called the house of industry, where a man can do work after he leaves the prison until he gets a place; that is, if he likes to avail himself of it.

Q. The Act gives you power to shorten the time of the prisoners by their good conduct when they are here. If prisoners are here for felony, do they leave on parole? A. No, they are discharged absolutely. For instance, if they are sentenced to a year's imprisonment under the Act, they can make their periods shorter by from 33 to 60 days.

Q. Do you think that this open door for prisoners after their release is a good thing for them? A. Well it does something, but a great deal more might be done in that direction. You might get places for the prisoners. As regards girls, it is seldom that they stay until their time is up without getting a situation.

Q. Are the short time prisoners sent here or are they detained in the county gaols? A. No; they are as a rule kept in the county gaols.

Q. The county gaols are used only as places of detention? A. Well, I cannot say that exactly. There are some short term men there. Our gaols all through the State are half of them full now with men under sentence of from 30 days to three months.

Q. I suppose you don't approve of this? A. I don't think it is a good plan, or a good system.

LANSING, MICHIGAN,
August 24th, 1890

Mr. G. A. GOWER, Superintendent of the Michigan State Reform School, gave evidence as follows:—

The institution was first established as a house of correction for juvenile offenders in September, 1856. The buildings were then adapted for use on the congregate plan. Childen of both sexes under fifteen years were received, (and between fifteen and twenty in the discretion of the Court) for any period for which they might be sentenced. The name was changed to the Reform school in 1859, and at that time the Board of Control decided that they would receive no more girls. The Reform school is now conducted on the cottage principle. At present there are 475 boys between the ages of ten and sixteen in this school, 254 new boys were admitted last year. The requirements for admission are, that a boy must be between the ages named and convicted of some offence

punishable by law by fine or imprisonment. All commitments are until seventeen years unless sooner discharged according to law, except in the case of truants, who may be committed for a period not less than nine months and not extending beyond the age of sixteen, and subject to discharge by the Board of Control in every case. The Board of Control may discharge any inmate when he is reformed, or may release on leave of absence subject to such conditions as may be imposed. The industries of the institution are farming, tailoring, shoemaking, baking, steam-fitting, gas-fitting, carpentering, plumbing, printing, and chair-caning. Forty-three employes are engaged in the institution The farm is 260 acres in extent and is under good cultivation. On this farm as many boys are employed as are likely to be able to find a place on farms outside when they leave the school. All our boys, Mr. Gower continued, are in school half of each day and they work half of each day. Our boys are in school four and-a-halt hours. They have five hours for eating and play, and ten hours for sleep. This makes up the twenty-four. We have ten school rooms, seven of which are in our seven cottages and three in the main building, which you see is being re-erected, and a very fine structure it will be when completed. At school we confine ourselves to teaching the English branches, giving special attention to reading, writing and arithmetic, with elementary work in language. In the printing department there are 50 boys employed.

The CHAIRMAN.

Q. Are they taught as if they were at work in an ordinary office? A. A great deal better. In an ordinary office a boy would be placed for a long period at the most degrading kind of work that can be found for him. He would have to be the devil for a certain length of time and years would elapse before he would be allowed to undertake important work. Here a boy is at once put to responsible employment. He is part of his time at newspaper work and part of his time at jobbing work. In an ordinary office a boy has no opportunity for exercising his taste in jobbing work; but here he is allowed to have experience in both branches, and the training is very valuable to him.

Q. Have you a paper in connection with the establishment? A. No. It requires a great amount of time, which I think can be employed in a better way. When you think it over it necessitates a great deal of work to get out a paper or periodical. I know in some institutions the superintendent spends half his time in working on it.

Q. Are these boys when they leave here generally absorbed into the printing offices throughout the country? A. Yes; we as a rule know that a boy is to land in a printing office before he leaves here. This department is only two years old, but we have turned out boys already who have been able to take their places in the best offices in the country.

Q. Will you describe your cottage system and your method of employment? A. Each of the seven cottages that we have here has a population of fifty boys, and it is under a cottage manager and his wife; we don't call them the cottage father and mother as they do in some places. We are a reform school. We are in the business of reforming boys and we are not ashamed of it. It is a good thing to reform boys and there is no reason why we should sugar-coat the thing over with fancy expressions of that kind. You will get that kind of thing I have no doubt down in Ohio. There are six boys employed in the laundry. In the carpenters' shop forty boys are generally at work. Mr. Gower explained that the object in view was to give a good practical training combined with a thorough technical knowledge. Here, he said, as in the printing office, a boy will learn in one year in four and-a-half hours a day more than he learns in five years if he goes to an outside establishment. Our training is more systematic. If a lad goes to a carpenter shop he is put to rough work for half his time. We adopt no such principle here. We don't use machinery, all is done by hand and we have a regular course of work for our boys. The instructor here is one of the managers of the cottages. Our cottage managers fill these various offices. Here Mr. Gower remarked, pointing to a little fellow of fifteen years of age, is a graduate of Penetanguishene. In the cane shop the numbers vary. We have 100 boys in this shop and these boys are the newer and the smaller ones; those who are too small to do anything else are often placed at chair

caning, and those who are so new that we have not yet learned their tastes and capacity. This, in other words, is the "catch all," and they radiate from this point. If we want a boy for the tailors' shop or the printing office, we take the most useful one out of this oom.

Q. On what principle do you do the work? A. The frames are sent in and we do it on the State account principle. In the tailors' shop from 50 to 60 boys are employed at tailoring. We do no outside work; we make all the clothes that we wear and we make the suits that each boy is supplied with when he leaves the institution. We do this and we teach a trade to this number of boys, so that each one when he leaves us is able to earn his living at it.

Q. Do you find that the boys stick to this trade when they go out? A. A great many of them do. All the mending for the establishment is done here, and the bedding is made also. Our boys when they first come here are put in the mending branch.

Q. I see that you have a distinctive dress material for your boys? A. Yes, it is Melton tweed, similar to the Canadian etoffe. The bakery gives employment to one man and three boys. They bake all the bread required for the establishment. One-half of it is made from Minnesota spring wheat, and the other half from Michigan winter. We keep forty cows, and they produce all the milk we use. (The Commission were conducted over one of the school rooms—one of the older structures, which was erected twenty years ago.) The cottage manager's wife is the teacher of the school, the husband during the day is engaged at other employment. For instance, Mr. St. John, who has charge of this cottage, is a book-keeper. Another cottage manager is the farmer, another the printer, another has charge of the cane shop, and so on.

Q. Is the wife invariably the school teacher? A. Yes, in every instance. These boys are in school from 6:30 until 11 o'clock. We rise at 5:30. Each boy makes his bed and washes his face and hands and has half an hour's play before breakfast. They go into the yard at 11 o'clock and play until at any rate a quarter to twelve, and then they work after dinner from 12.30. At 5 o'clock they go to the cottage and wash their faces and hands; they have five or ten minutes to play, and they then take their supper at 5:30. They are through about quarter to six or a little after. In the winter time they spend some time in the school room, and at a quarter past seven they retire for the night. We have a holiday every Saturday afternoon.

Q. How does the course of instruction correspond with the common school instruction of the country? A. We generally give the usual English branches, and aim at a fair elementary education, but we don't always keep a boy here until he is a scholar. We discharge the boys whenever we think it is best for them to go—whenever it is better for them to leave than to stay any longer here. We don't say that he must have so much arithmetic, so much geography, so much tailoring, so much carpentering, or anything of the kind. We simply say that, everything considered, it is better for him to go. We might have the best scholar in the institution ready to go out apparently, but if he has no home to go to, and if we cannot find a place for him we keep him until we have a place. We don't turn him out because he has reached a certain standard. We deal with this matter on a common sense basis. Another thing in which we stand alone is, that we have no system of grades, honors, badges, or rewards of any kind, because we don't think it is best. We think these unnatural and that they create an abnormal condition of affairs. It is not necessary for me to keep a double entry book to tell whether a boy is a good boy or not. The system of grades was in vogue at one time in our institution, but we abandoned it for several reasons, chiefly because it was at variance with the influences for right doing which a boy will meet on leaving school, when he goes into the outside world. We are supposed to have our fingers on the moral pulse of every boy here without having a debit or credit side of an account. The system of grades, honors, badges, means that you say to a boy, "You may be as bad a boy as you like—steal, swear, lie, you may be filthy, lazy and everything of the kind—just as bad as you

like but don't let us catch you at it and you are a model youth." That is what this system says. It encourages deception on the part of the inmates more than anything else.

Q. I gather from what you have said that that system would tend to make a good prisoner without making a good man? A. Yes. You make a model boy for an institution without making a good man of him. I have thought this subject out carefully and I am fully convinced of the wisdom of the course we have adopted. The great majority of the boys who come here under our care are not by nature bad, but they are the creatures of unfortunate circumstances for which they are in no way responsible. They have been deprived of the influences which a good home supplies and have naturally, almost inevitably, drifted into ways of thinking and acting which are prejudicial to their own welfare and dangerous to society. What they need is training and education, such as will restore them to their normal condition. Could they have been placed in good homes when they were sent to us, most of them would probably have been saved to society without any intervention of the institution. It is in order to make this institution supply the place of a good home that we proceed upon these lines. Now, the system of grades, honors, and badges, simply appeals to a boy from the standpoint of policy, but policy is not the strongest motive in the boy's nature to which appeal can be made. The system I contend is wrong in theory, because it assumes to determine character by keeping a record of observed misdeeds. It assumes that he is a good boy who is not known to be indulging in glaring vices. It encourages dishonesty amongst the inmates of the institution because it is seen that not the best boys but the biggest liars—those who most successfully elude detection of their wrong doing—are the ones who gain promotion most rapidly. It often happens that in institutions where this system is in operation the boys wearing the highest honors are not those who make the most persistent efforts to do right, Moreover, the system unfits a boy for entering the outside world, as I have already said, and if honestly administered, it precludes the possibility of discharging boys who should leave the institution at an earlier date than that provided under such regulations.

Q. Do you prefer the congregate to the cottage plan in an institution such as yours? A. In any institution I would have a combination of the congregate and cottage plan. I would have a main building with a kind of receiving department where I would keep the boys at first until I had an opportunity of observing their character. I would bring them under observation. I would try to ascertain their tastes and capacities, and learn where they can be most advantageously located. They need this for a time. Whenever a boy runs away—and boys sometimes do from every institution—it is almost always a new boy. Thus the new boys want more looking after than the boys who have been here for some time.

Q. What accommodation have you in the main building? A. There are four school rooms in the main building, the dormitory rooms, the receiving department, which as I have already explained, brings them more intimately under our care and observation, and we can do better and locate them more advantageously afterwards. This does not interfere with the cottage system at all. In the main building we have also the employes' dining room, tailors' shop, printing office, and as I have already said, dormitories, etc., as well as the administrative part, offices for myself, and a guest's room.

Mr. Jury:

Q. When a boy has been here three or four years, do you find that he wants to go away? A. I would not give a cent for a boy who would want to stay in an institution all his time. We don't want our boys to be anxious about leaving, nor to lie awake at nights, because they can't leave the institution. It is a difficult and delicate matter just to draw the line at the right point. We try to cultivate the true idea of the relations that ought to exist.

Q. Does a boy feel that he is a prisoner and want to get out, or does he feel that he is being benefited here? A. Most of them feel that they are being benefited, and they

are quite willing to leave it to the institution to say when they should go. We have some boys who are grumblers, and talk about not wanting to stay in prison all their lives and who rebel against any restraint and the like; others are contented and happy. We endeavour to preserve the golden mean as between those two classes.

Hon. Mr. ANGLIN.

Q. I suppose you encourage the boys to talk freely to the officers, so that you know all that they want? A. Oh, yes; I am glad you noticed that. We encourage the utmost cordiality between the boys and the officers. We plan to have the boys feel that when they come here they are in the hands of friends; that we want to do them good. On entering we tell a boy that he must do what he is told, and when the boy realizes that and that he is in the hands of friends and is anxious to do his best he is in a good healthy condition. I always have a long talk with a boy on coming; going over the grounds of his relations with us.

Of a double cottage Mr. Gower said, we have in this about 100 boys, 50 on each side. One side is entirely separated from the other by partition walls, and you will see that each one is to all intents and purposes the same as a single cottage; for puposes of convenience of management and economy the building is all under one roof. The cottage manager of one side of the establishment, might on occasions look after both sides. We never allow any of our cottages to be left without one of the managers being there; but here any one of the four can look after the whole building for a little while. We have a front entrance for the cottage manager and his wife, a sitting room opening into the school room. We think that this arrangement of the cottage is the most economical and most convenient, and I believe it is the best in every way.

This double cottage, complete with heating apparatus, and everything else, cost $18,000; that is, the double building. I do not know any institution that has such excellent accommodation for 100 boys and the officers constructed at such a cost.

The CHAIRMAN.

Q. That is $180 a head—does this include furniture as well? A. Complete, furniture and everything.

Q. What amount of cubic space do you allow for each boy? A. 400 feet.

Q. What system of ventilation have you? A. No particular system but the place is thoroughly well ventilated and heated by steam.

Q. Do you prefer this system of associated dormitories to any other system—even to having nice little rooms where every boy would have a bed-room to himself without regard to structural expense? A. If you could afford to give a room to each boy entirely to himself it would be as well, but the expense is so great; however, from a moral standpoint, I don't believe there is any more danger in the associated than the separate room. You see these boys go to their beds; the boys will nearly always say their prayers, and there is the utmost respect paid to personal rights. There is one boy in each room known as the watch boy, who is expected to keep a watch on what is going on.

Q. How do you minimize the evils of masturbation; or is it minimized? A. We did it by lecturing the boys as to their filthy habits, by talking to them privately. I think the worst thing you can do is to parade anything like this before them. You tell a boy something that he ought not to do, and the tendency is to try to avoid it; stringent precautions are adopted as regards all forms of immorality. We have always the cottage manager near at hand.

Q. Have you the gas burning? A. Yes, we have always the gas burning low.

Q. Then I understand, Mr. Gower, that but for expense, you would prefer small rooms? A. Yes, just as I would have 50 boys in a family to keep down expense, I would reduce the number but for the additional cost. We must have reasonable regard to economy in all these matters.

Q. Does the farming community absorb any considerable number of the boys who leave your establishment? A. Out of the 250 who go out every year, we probably locate 75 with farmers. Out of the 75, about 50 remain more or less permanently. You see they come from the towns chiefly to us, and they have generally parents there. Very few are orphans entirely; but only a limited number have got their parents living together. Many of them have fathers and mothers who have been separated for sometime.

Q. In that case what would you do? A. That would depend upon the circumstances.

Q. Should an institution of this kind be away from a town altogether, or ought it to be in reasonable proximity to a town and the public generally? A. I would have it within reasonable proximity, but not in the town. I would have it where there is good society about. I would have a farm connected with it for the purpose of economical and effective management and administration. I would not have it in the town.

Q. Would you put it a hundred miles away from a city? A. No.

Q. Don't you think that more efficient management is obtained where the public are able to visit and look at the institution? A. It is desirable to have boys where they are in contact with the public; you don't want them to be where they are huddled away from everybody. The more you get the boys in touch with outside life the better for them; but to have it inside a large town would be embarrassing and disagreeable.

Q. What was your expenditure for the last year? A. Our expenditure for the year ending June 30th, 1890, was, salaries $13,169.52; teachers' salaries, $3,738.01; provisions, $15,465.29; clothing and shoes, $5,031.74; bedding, $1,006.32; heating, $1,946.44; laundry, $711.66; crockery and cooking utensils, $455 53; repairs and alterations, $3,128,17; discharged inmates, including new suit of clothes and railway fare, $1,647.90; library, printing, stationery, postage, freight, etc., $1,457.66; fuel, $5,437.59; light, $1,609.72; chair work, $5,246.23; school expenses, $384.55; general expenses, $163.55; furniture, $538.81; medical expenses, $773.75; farming account, $2,530.75; hay and grain, $1,665.90; water supply, $675.00; wagons, harness repairs, $320.56; painting, etc., $443.02; interest $14.00; total, $68,010.97. This includes chair department and everything.

Q. Now the receipts? A. The receipts are from the State, $53,000; shop work, $7,992.71; visitors (we make a nominal charge of ten cents from visitors), $167.70; farm stock, $990.93; interest, $396.80; printing, stationery, little items of printing we have done for outside parties, $264.39; kitchen furniture transfer, $75.00; miscellaneous, $906.21; bills receivable, $1,000; total, $64,793.94. We have a little place for the hospital which cost $3,900; the surgeon is a physician from the town; he is paid $300 a year. He comes when we require him; we summon him by telephone.

Q. What do the boys have in the way of amusements A. Baseball is the great game.

Q. Have you any amusemements on Sundays? A. The day is entirely occupied in other ways.

Q. Do you think there is any necessity for amusements on Sundays in order to keep the boys out of harm? A. No, it is unnecessary.

Q. Tell me what is done on Sunday from the time the boys rise in the morning till they retire at night? A. They rise half an hour later than on ordinary days — at a quarter to six o'clock. They make their beds, the same as on other days, and have their breakfast about seven o'clock. From seven o'clock until nine they are in the schoolroom reading library books and getting ready their lessons for the Sunday school. There is Sunday school from nine to ten at which the boys are taught by the officers of the institution; then from ten to twelve the children are either in chapel, or in pleasant weather in summer we take them into the lawn, and they take their library books there with them. They are under the care of the officers of the institution, and are

occupied conversing or reading library books. At twelve o'clock they go to dinner. In cold or rainy weather part of them stay in the chapel and the officers take the others to the schoolroom. After dinner until 2.30 they would be at their ease, either conversing or reading library books. From 2.30 to 4 o'clock or 3.30 there is the regular Sunday service performed by some clergyman from some church in the city.

Hon Mr. ANGLIN.

Q. As to the Roman Catholic services, what do you do? A. The Catholic priest is at liberty to visit us when ever he likes, when it will not interfere with the ordinary work of the institution. He comes here generally after the Protestant service is over, and when he comes we call the boys to order and from 50 to 75 get into line and go to the chapel with him; nobody can tell what he does with them, but we believe that whatever he does it is good for them. No officer of the institution has ever yet been to the chapel with them when the priest has been there. All who go with him are Roman Catholic boys. He comes here ordinarily about once in two weeks. From the time of the close of the services the boys are taken for a walk by the cottage managers, and at tea the same rule is observed as on ordinary days.

The CHAIRMAN.

Q. You are of the opinion then that amusements are unnecessary on Sundays in an institution of this kind? A. I know that they are not necessary. By these various exercises in the school, church services, reading, and other means of occupying the attention of the boys, there is no necessity for any outdoor amusement. We fill up the time with our Sunday duties and we have never found any necessity for anything else.

Q. Would you condemn the practice? A. Most unqualifiedly; and coupled with this I would say that it requires more tact and care on the part of those who have charge of the boys to interest them and to make Sunday an enjoyable and profitable day to them than are required on week days. I think that Sunday is the hardest day our people have to make it profitable and useful for the children.

Q. Your staff then has harder work on Sunday for the purpose of keeping the boys employed than on any other day? A. I think so. I think it is a more worrying day. You asked me whether I would not have them indulge in a game. I would say that the public sentiment in the State of Michigan would not approve of that, and that is a sufficient reason for me as an official.

Q. Will you go further; can you say that you are able to interest and employ them without Sunday amusements? A. Yes, sir.

Q. You think that interesting occupation in the way of reading, walking and conversation is better than amusements? A. Yes, sir.

Q And that it is more exacting upon the officer; besides requiring special talent? A. Yes, and heart, on the part of the employes of the institution to conduct it properly, than to act as if we had a crowd of animals inside a high wall.

Mr. JURY.

Q. During the time that the boys are on the lawn are they at their ease? A. Certainly.

Q. How many boys are classed as Catholics? A. I think about a quarter of them are classsed as Catholics, and I see about two-thirds that quarter usually go to the chapel.

Hon. Mr. ANGLIN.

Q. What is done with the other third? A. They have the ordinary chapel exercises with the other boys. All the boys go to the regular services. I have invited the Catholic priest to come and take his turn with the other clergymen. As regards the Catholic boys there is no advice or compulsion—in fact no inquisitorial relations exist at all in regard to any of the boys in the matter of their religion.

The Chairman.

Q. What is the method of apprehension; the nature of the offences for which the boys are arrested and your general system of action before the boys come here? A. The machinery is of this kind: A boy who is in an unfortunate way; that is, who has committed some offence, or who is a truant from school, is arrested. An application is made to some justice of the peace and a formal complaint is made against him. Before any further proceedings are taken it is the duty of the county agent of the State Board of Charities—and I may say that there is one of these officials in each county, who has authority to enquire into the whole surroundings of the child into whatever might have led the boy into his unfortunate position—to advise the justice as to what is best to be done with him. The county agent steps in between the parent and the stern hand of the law. It is a very good plan I think, for the county agent is a good advisory authority. The case being made out the boy is committed here until seventeen, unless sooner discharged.

Hon. Mr. Anglin.

Q. What else may they do with a boy except send him here? A. There is nothing else that they may do; but the commitment must be approved by a judge, and if the commitment is not approved of the boy may be disposed of just as if there were no such law as that governing this institution.

Q. There is no system of placing boys out in families under probationary officers? A. The court may release a boy on suspended sentence, and the parents may give bonds for his good behaviour, but as a rule the boy is committed to the institution. We have another institution called the State Public School at Coldwater for dealing with dependent children who are not criminals. There is a large building fitted up with the latest improvements and it has a farm of 120 acres connected with it. It is conducted on the family and congregate system combined. The children attend school and work a certain portion of the day the same as ours do here, and live in separate cottages. Their ages range from two up to twelve years, and they are kept until suitable homes are found for them. This is not an institution for offenders against the law; they are simply dependent children. The cottages, I believe, are nine in number, and the little ones are placed in homes provided by the county agent. As regards boys who have been charged with offences, they are either released when they are taken before the magistrate or judge or they are committed to the Reform School.

Hon. Wm. Donovan, Ex-Mayor of Lansing, and Treasurer of the Board of Control of the Michigan State Reform School, when examined explained the method by which the funds for the maintenance of the institution are provided. The Legislature, he said, in every second year makes an appropriation covering the two years to meet the current expenses of the establishment, and also for all needed in the way of new buildings and general repairs and renewals. All the different items of expense necessary to carry on the institution during the next two years are covered by this appropriation.

Hon. Mr. Drury.

Q. Who recommends the sum? A. The sum is recommended by the Board of Control? They are the persons who have the supervision of the school; at the same time, every second year before the Legislature meets, we are obliged by law to submit the appropriation that we ask for to the Board of Correction and Charities. Whilst they have no power to dictate in the matter, they either approve of our estimate or suggest a way out of our difficulties, and make a recommendation in the way of reducing the expenditure, or increasing it along certain lines. They act as an advisory board in this capacity. We make our requisition to the governor, and it is very unusual if this is not approved by the Board of Correction and Charities The governor in his message to the Legislature—both the outgoing governor and the incoming governor approve and recommend the appropriation asked by the boards of control for

the different institutions without naming the amount. Immediately after the Legislature assembles there is a committee appointed to deal with the wants of the reform school. This committee takes up the items asked for and considers them one by one. When our bill asking for this appropriation can be put in regular order, it receives the sanction of the House and passes without very much question. If it is on the line of some new departure we generally have to feel our way along.

Mr. JURY.

Q. Is there any institution other than the reform school under the control of the board? A. No, the duty of that board ends with that school.

The CHAIRMAN.

Q. Are the labours of these boards voluntary or paid for? A. They are paid so much per diem when they meet in session once a month. But during the construction of the new building, we have had perhaps three sessions a month. When our current expenses and other appropriations are passed they are usually passed so that they shall take immediate effect, and thus our appropriations continue right along and we don't get out of money. Then we have a system of duplicate accounts for all moneys that are paid. We have duplicate vouchers; one voucher is kept here in the treasurer's office and another is kept in the auditor general's office in the State House. In this way the state knows always every cent we spend, out of each separate account just as well as we do ourselves here, and we make our requisitions upon the auditor general quarterly: for instance, for current expenses we draw $15,000 odd every month. For other things—repairs, and so on, we generally draw about $10,000 at a time.

Q. Do you confine your expenditures to the items given in the estimate submitted in the first instance, or are you allowed to draw say $13,000 and expend it in the maintenence, or in connection with the institution generally? A. No. The $13,000 is for current expenses; so much for food, so much for light, so much for coal, and so much for other things; and while we are not confined to any absolute amount, we contrive to run our institution so that the amounts shall come out just in those lines. The superintendent has experience in all these lines, and the perfection of the system ensures that we come out pretty even. If you have a correct system of managing these matters it ensures almost beyond question the amounts passing the Legislature without any great degree of trouble.

Mr. JURY.

Q. All the expenditure passes through your board; and you really incur this expenditure? A. Yes. It all passes through the superintendent to us. The vouchers are laid before the board and the expenditures are shown, and as they are approved they are signed by the president and then a cheque is drawn for the amount of each of these individual vouchers. As I said, the vouchers are all in duplicate, so that the State accountant sees that they all agree and the amounts are paid by us.

The CHAIRMAN.

Q Are you authorised to use the products of the farm, whether cereals, milk or vegetables, without making a separate credit for the amount? A. Yes. At the same time we don't plan to give the farm in all cases the full benefit of what it would be entitled to. We are all the time improving the condition of our farm. Our farm here in the main was a very poor one eight years ago. It was covered with stumps and there were no fences. We made fine lands out of inferior land, by draining and by putting it into condition through the instrumentality of cheap labor. What we get from the land ought not to be debited to the institution, because we are improving our real estate all the time.

Hon. Mr. DRURY.

Q. What would happen if your appropriation were too small for the two years. A. The auditor general has the power to issue to us one-quarter of our regular appropriation

before it is really due ; for instance, our regular appropriation ends on the 1st of January, now it may be from the first of January until the first of April before we get our appropriations for the next two years. He has the power to bridge over this space. As a matter of fact our appropriations since Mr. Gower has been on the board have never been exceeded.

The CHAIRMAN.

Q. Do you adopt the contract system for obtaining supplies? A. We contract for our coal, our cloth and our flour. We contract for our flour this year for so much per barrel when the wheat is 80 cents per bushel. Our groceries are bought wholesale, where we can buy cheapest. Our meat we buy on contract, with the exception of incidentals.

Q. If you should have a balance at the end of the year, does it lapse, or is it carried forward? A. No, it is generally returned as unexpended moneys.

Q. Does your law enable you to apprentice boys out? A. It provides for this, but we seldom exercise it. Our boys are released on good behaviour by the board.

Q. In the event of incorrigibility, where a boy is so bad that he is beyond control ; have you the power to send him to another institution? A. No, but we can return him to the court that we got him from. Our law says he can be dealt with as if he had never been sent to the institution at all. We returned during the past year seven boys as improper subjects. These are boys who ought not to have been sent here, if for no other reason than on account of their intellectual deficiency. These were not incorrigibles ; they were weak-minded boys.

Dr. ROSEBRUGH.

Q. You can hold boys until they reach the age of seventeen. Would it be any advantage to hold them until they were eighteen or nineteen? A. Our custom was to hold them during minority ; then it was made eighteen, and afterwards seventeen. It was made seventeen with a view to getting them away. We thought the range between ten and seventeen was large enough. If we have a boy who is over seventeen years of age who has no inclination to do what is right, he will have a very pernicious influence over the younger ones.

Q. But in regard to the supervision, when they are placed out of the institution, will it not be better to keep control over them until they reach years of discretion? A. We think it is well to have a year of jubilee when the account is squared, just as there was a year of jubilee in the olden times.

The CHAIRMAN.

Q. What is the average period that boys remain in the institution? A. About twenty-three months ; last year it was twenty-three and a half months ; the year before it was twenty-two and a half.

Q. What is the average age of the boys in the institution? A. Thirteen years and ten months.

Mr. JURY.

Q. After the boys leave you, have you any means of following them? A. Oh, yes. I can put my hand upon them. There are some in various parts of the state working on farms ; there are others engaged at mechanical work in the cities and towns. I pay periodical visits to Detroit for the purpose of meeting the boys who have left here, and who are now in positions in that city.

Q. What percentage of the boys who leave here do you find following the occupations they are taught at the institution? A. I could not tell you that, but a large number do follow the trades they are taught here.

The CHAIRMAN.

Q. Do you consider it desirable to introduce industrial work for the purposes of revenue? A. Our industries are established for the purpose of instruction only. The purpose of revenue is not considered by me at all. The institution is not established by the State for the purpose of revenue, but for the good of the boys. The State of Michigan has built this place to start the boys in such a manner as will be best for their future. I would not make revenue my chief consideration; but if the trade that we teach a boy can be made incidental to the payment of his expenses it is so much saved to the State, and it is satisfactory to know that a boy is earning something, that he is at least helping to pay his way. Take the boys who are working in the shoe shop and the farm; they are in the way of reimbursing the State for their maintenance. At the time you visited here before, Mr. Langmuir, our boys were making cigars, but we stopped that because our people did not like it.

Mr. JURY.

Q. Did you in reference to such institutions this morning say there was one for older criminals? A. I do not remember having referred to an institution similar to this.

Q. At Ionia. There was an impression abroad that young men were sent there because they wanted them for certain work? A. No; I have not heard that. I have heard this, that the judges in Detroit send good young healthy prisoners to the House of Correction; but if a man is old and decrepit he is sent to Jackson. I do not pay much attention, however, to the story.

CLEVELAND, OHIO.

Present.—J. W. Langmuir, Esq., Chairman, Hon. Chas. Drury, Hon T. W. Anglin, Dr. Rosebrugh, A. F. Jury, Esq.

W. B. PATTERSON, Superintendent of the Workhouse and House of Correction and Refuge, at Cleveland, O., was examined and stated that,—

This workhouse was erected by the Cleveland city council, and opened for the reception of prisoners in 1871. It was placed under the control of a Board of Directors, and soon after the opening of the workhouse it was decided by the Board of Directors to set apart a portion of the building as a house of refuge. The two institutions have continued to exist side by side up to the present time. They are practically under the same roof and the same general management. At the workhouse, adult prisoners of both sexes are received; at the house of refuge male juvenile offenders. The government and discipline of the two departments are entirely different, although they are under the same head. The workhouse system being punitive, with labor for reformation, and the house of refuge conducted on lines of education and training.

The CHAIRMAN

Q. Have you the indeterminate system of sentence in your prison? A. No. It is not meant for the class of prisoners that we have here.

Q. What class of prisoners have you? A. Short term sentences for minor offences; sentences varying from six months down to ten days. For instance, we get a man sentenced for ten days with a dollar and costs fine and a thirty days sentence is a common thing or, thirty days and a fine running from a dollar up to five, ten or twenty dollars. As soon as a man pays his fine and the costs, he is allowed to go out, but if he cannot pay this, he may work it out in the prison at a per diem allowance: he can work out his own release. We have a minimum price which each person is allowed for his day's labor; for instance, a man is a mechanic, and his sentence is $5 and costs. He serves a time sentence, which would be twenty or thirty days as the case may be. He

enters upon this by labor. In the city ordinance, it is provided that every man upon working out his fine shall have twenty cents per day; but, if in the judgment of the superintendent his labor is worth more, he shall be credited with more. This puts a great deal in the hands of the superintendent, who, if he is likely to do wrong, or has a prejudice against a prisoner, can hold him indefinitely; therefore I think this feature of our system is wrong. We get a time book for every prisoner and we enter the proceeds of his labor. We have men in the prison to-day getting a dollar a day. The labor of this institution is brush making. I may explain that a man may work out any part of his sentence and pay up the balance; or, if he works part and his friends come in and pay the balance, hec an obtain his release.

Q. How do you find this works? A. It works very satisfactorily.

Q. Do you find many avail themselves of this privilege? A. Well they have to avail themselves of it, for as soon as they come here they have to commence work.

Mr. Jury.

Q. Do they always have to pay a fine and costs in addition to the term of imprisonment? A. Yes. The prisoner has to stay until his fine and costs are paid, and the term of sentence expired.

The Chairman.

Q. If a man were fined $10 and costs, and if he had no means of paying, could you keep him indefinitely? A. Well, when I came in here there was a system like that. A man was sent in for thirty days and fined $10 and costs. If he could not pay he was at the mercy of the Board of Managers. That man would be held under this system simply because nobody could let him out, for about three months, until the case was presented with all the details to the Board of Managers. It would be represented that this man had been working over three months; that his work had been acceptable and that he could not pay his fine, and he would be recommended for discharge if that were thought proper.

Q. And if they did not think proper, then the man could be kept? A. Yes, he could be kept, but every man who comes in under these circumstances has a right to work out his liberty.

Q. Have you a common goal in Cleveland? A. Yes, for the county and city.

Mr. Jury.

Q. What is the difference between it and your house of correction? A. It is mainly a place for the detention of prisoners waiting trial, but there are a few sentenced prisoners in it.

Q. Have they any means of labor there? A. They have no labor; they are shut up in cells with the privilege of the corridor at certain hours of the day.

Q. May a prisoner waiting trial converse with his fellow prisoner? A. I believe he can in the corridor.

The Chairman.

Q. Have you in this State what is known as the cellular system for confinement of prisoners waiting trial? A. Yes, this prevails in some part of the State.

Q. Do you know anything of the principle? A. No, but it is in operation in some of the gaols I know.

Q. When a man charged with an offence is waiting trial, if to keep him away from evil associations you put him into a cell by himself, and confine him there twenty or thirty days, or it may be six months, until his trial comes on, do you think

that is fair to the prisoner. A. I have not had any experience in connection with that; in fact, I have not had my attention directed to the subject; but, I think that kind of imprisonment is not the best for the prisoners, either physically or mentally.

Q. Still of the two methods—keeping separate all prisoners waiting trial, or allowing them full opportunities for association—which would you think the most desirable? A. Where you have a man whom you might term an accidental prisoner, not a bad man at heart, but who had committed some offence which had thrust him into the gaol awaiting trial, I should say it is wrong in principle that this man should be compelled to associate with prisoners who might be professional criminals; the very surroundings might be most detrimental to this man instead of having a beneficial effect upon him. Such a man ought to be separated from this other class I have described, and he ought to be accorded some other treatment during the four or five months that he has to stay there waiting trial.

Q. Following up this idea, would you consider it advisable to give a prisoner the option of being confined by himself or associated with the crowd that you speak of; or would you separate the accidental prisoners from the professional? A. I do not think I would give a man the choice whether he would accept solitary confinement or association with this class. I think that the persons in charge of the prison should determine whether it would be better for him to be associated with others or kept separate.

Q. What would be your plan of determining whether a man was an accidental or a hardened criminal? A. I would determine from the number of offences the man had committed, his career, his surroundings, and his family history.

Q. There are some who say that through the association of prisoners in the common gaols these establishments are becoming the nurseries of crime. What is your opinion on the subject? A. Some people appear to think so. You may be able to see in Mansfield or in Circleville, near Columbus, the attempts that are being made in this State to remedy the evils of defective classification. I will show you to-day a man who plays the organ here, who is really a nice man—a man with a good deal of culture, who has been unfortunate in getting drunk. He is a member of the Young Men's Christian Association in the adjoining county, but he has a weakness for drink. He was tried at Pennsville, and was sent down to us. It seems to me that it is a great outrage that this man should have to associate with hardened criminals. I have men here who have been in all the workhouses in the country almost, and a good many who have been in the state prisons. I have others who have been committed over forty times to this house. This man is here simply because he has a weakness for whiskey.

Q. How many prisoners have you got here? A. 456.

Q. How many are of the drunk and disorderly class? A. Fully one-half.

Q. Have you been able to reclaim many of them by the methods of treatment that are in operation here? A. No. Reformation never can be accomplished according to my judgment with this system of imprisonment. Sending a man up here who habitually drinks, sentencing him to pay $5 and costs, and to serve thirty days, or $2 and costs without any days at all, you don't do such a man any service by a system of that kind. He goes out drier after his short sentence has expired than he was when he came in, and he goes straight to drink again. Let the principle be so changed as to enable us to apply the indeterminate sentence based on a thorough reformation, whether the period be six months, a year, or five years. I have said in my reports for the past twelve or fifteen years that the present system—the course we now pursue is a farce and a failure. I say that the indeterminate sentence for those known to be incorrigible drunkards or habitual criminals is the only way to accomplish their reformation.

Q. What number of times should a man be committed before you would regard him as an incorrigible drunkard? A. I would first do this. I would say for the first offence the sentence should be so and so. For a second offence, double the

period ; for a third, double it again ; and then if at the end of this time there is no hopes of recovery for this individual, why, let him be committed on the indeterminate sentence. Let him be kept in confinement then until he has reformed.

Q. In following up this idea of yours, which, by the way, I have frequently advocated, would you keep the drunkards in a different department of the House of Correction or Central Prison, or would you mix them up with the other prisoners? A. If you have the drunkards in the same prison with the criminal classes you must have separation. This is my report on this question, "From prepared tables in connection with this report it would seem that our laws as enforced have so far failed in the reformation of the vast majority of the cases that have come under its operations. The frequency of the arrests, trials and convictions of the same offenders, and their incarceration in the workhouse is presumptive evidence, at least, that the administration of the law in such cases has failed to accomplish their reformation. And if the experiences through which these persons have passed have not been productive of repentance and reformation, is it not the part of wisdom to abandon the old system and inaugurate a new course of procedure for the recovery of the wayward, vicious, and profligate. The following will serve to illustrate the utter folly and the enormous expense of thus experimenting with old-time offenders, though mostly young in years.

(*a*) A young man, previous commitments 43 times, twice during this year.

(*b*) A young man, 23 times in the past, five times during the year.

(*c*) A middle aged man, 18 times, once during the past year.

(*d*) A young man, 45 times, and three times during the year.

(*e*) An old woman, 45 times in the past, and five times in the year.

(*k*) A woman under 50 years of age, 36 times in the past, and six times in the year.

(*l*) A woman under 30 years, twenty-six times.

(*m*) A woman under 40 years, twenty-seven times.

All these are for intemperance. We could multiply and add to the above, but this will serve to confirm what I have said and should prove conclusively that the course now pursued is a farce and failure. The considerate can see the imperative necessity for a new system for such offenders. The remedy is close at hand, and only requires that the thoughtful should act in the matter, and have the laws so changed that an indeterminate sentence shall apply, based upon a thorough reformation ; whether that condition may be evidenced in six months, one year, or five or six years." In my report of 1882 I used these words : "A mistaken philanthropist, so called, may say this would be excessive when the nature of the offence is considered. Our answer is that it would be economy in the end and better for the individual physically, mentally and morally, and better for the city financially. Would it not be better in results than these 20 or 25 sentences or fines should be served at one time than to be distributed over a period of 10, 15 or 20 years ; these intervals between sentences as now under existing laws are only so many helps in a profligate course and so many hindrances in the work of reformation. Under an indeterminate sentence, where the offender would be committed until reform, there is time for meditation and culture ; and the individual is made to contribute largely to his or her support, and all will admit that crime should be made to pay its own expenses. The new line of policy should be the indeterminate sentence system."

Q. Who is the governing body of this establishment? A. Our city council is the head of the house, and they make our by-laws—that is, our municipal laws. The Mayor every year nominates for a five years term one of the board of five directors, and the council approves.

Hon. Mr. Drury.

Q. How are you going to tell when a man who is simply a drunkard and is committed under the indeterminate sentence is reformed? A. That would have to be left to the experts who deal with the cases.

The CHAIRMAN.

Q. How many men and women have you at present? A. We have 340 men, 50 women, and 66 boys in the Refuge. The boys are mostly incorrigible truants and youths committed for petty offences without periods. All these youths can be held under the law until they are 21 years of age.

Q. What is the average time they are held? A. I think we have never held a boy over three years. In nine cases out of ten they go back to their homes. The parents of the boys often come here for them, and we usually allow them to go back to their homes.

Q. I should think that one of the worst features of the institution is having these boys here? A. Well, we say so ourselves, but we have not been able to get this altered; many efforts have been made to separate the refuge from the workhouse. Complaints have been made by the citizens and philanthropic men have done all that they could, and the matter is now under the consideration of the council. I may explain that when the institution was established the city was burdened with debt and the two establishments were worked together as a matter of economy. We had a committee of the council appointed to work in conjunction with the board of directors, to select a site for the new refuge about a dozen years ago; but one man wants it here, and another there, and they have never been able to agree upon a site to this day, and thus the anomaly has continued. The committee of the council have bought a farm. It is declared by everybody to be an improper farm, badly located and stony. There has been fighting and wrangling over the matter, but there it remains. The same thing goes on year after year.

Q. Do counties outside Cleveland avail themselves of this institution? A. There was a law passed four or five years ago authorizing the counties that had no place to confine their prisoners to make contracts with any corporation that had workshops at their disposal. We have a form of contract under which we take any prisoners from the surrounding counties, and the counties pay us for their maintenance.

Q. How much? A. We have a sliding scale; for a man serving thirty days or less, $3; from thirty to ninety days, $2; and for those over ninety days, $1.50; but we get the labor of these individuals besides.

Q. What is your average period of custody for a prisoner? A. I think two months is the average.

Q. What method do you adopt in the training of the boys? A. These boys go into the school after breakfast in the morning at seven o'clock, and they remain in the school until eleven; they are taught all the branches of education that are taught in our common schools. We have boys there who go through the third part of arithmetic, and are pretty well advanced in the elementary courses. Then in the afternoon we put them to brush making. There is another defect in connection with the institution. A boy may serve two, three or three and a half years in this institution, and he may go on learning brush-making and when he goes out if he says he has been in the brush-making it seals his doom, for they know that he has come from the house of refuge or the workhouse because it is known that this is the only place where this industry is carried on to any large extent.

Q. Could you not provide some other industry? A. I do not know. In the first place, the boys should not be here at all. As circumstances are, I do not know that any other industry would be any better for the boys.

Mr. JURY.

Q. Don't you think you could put them to industries nearly corresponding to those in which they might be able to obtain employment outside? A. If the two institutions were apart this could very well be done, but I am afraid we could not manage it very well here.

The CHAIRMAN.

Q. How is the work carried on here? A. We buy the material, manufacture the goods and sell them in the open market, and then put the money into the treasury.

Q. Does this conflict with outside brush-making? A. No. I find that somebody in some part of the country or other is competing with us all the time and underselling us.

Hon. Mr. ANGLIN.

Q. When you allow one man who is working out his fine and costs a dollar and another fifty cents a day, the man whose labor is worth the smaller sum must be kept a much longer period in gaol than the other. Do you think that the judge means this when he gives a man a sentence of $10 and costs? A. Our method works on this principle: A man committed for the first month, for instance, would earn 20 cents a day; the next month, if he is proficient in his labor and industrious, he will start at a higher rate; but it seems to me that the judge or sentencing magistrate would believe that he is imposing the same punishment on all men when he orders them to be fined $10.

The CHAIRMAN.

Q. You were on a commission appointed to investigate prison matters in Ohio, and make recommendations in respect to prison labor. What recommendations did you make? A. We recommended that the prisons of Ohio should be worked on such industries as would be applied for the use of the State establishments. Such goods as were needed, such products growing on the field as could be consumed in the prisons or in the other institutions of the State.

Q. Would you deprive the deaf mutes and the institution for the blind of the means of instructing boys there to make clothes, boots and shoes; do a little carpentering and work at other industries—such as are now carried on in these institutions? A. No, we did not mean that.

Q. What did you mean then? A. That every product that could be supplied to some other institution should be manufactured,

Q. You would not monopolize everything that could be manufactured for the purpose of keeping the prisoners employed at the expense of other institutions? A. No. Only such things as would be consumed in the institutions, and such as our other institutions did not make themselves, either as a means of instruction, as a means of employment, or of revenue.

Q. You have at Columbus a penitentiary in which you could manufacture all the iron bedsteads and hardware that are required in all your public institutions. Would you compel institutions which now manufacture such articles for themselves to purchase them in the penitentiary? A. Certainly not.

Q. We were talking about drunkards, and you said it was your belief that very few drunkards could be reclaimed by the treatment that you have here; would you recommend the indeterminate sentence after the third offence? A. Yes, my idea is this: It is the duty of society to try to save these incorrigible drunkards if possible, and you will never save them by committing them to prison five or six times a year. Every time a prisoner comes in here he is worse physicially, mentally and morally, and is lower down in the scale of degradation than he was before. If you are ever to save these men from self-destruction in this life you must adopt another plan. What injury do you work a man if you send him for a period of five years to prison compared with the system of making him spend seven years in short sentences with intervals between them.

Q. How, under the proposed system, are you are to judge when a man is cured and ready for probation and discharge? A. Upon the same principle as Mr. Brockway adopts.

Q. Are your drunkards principally young men or are they men up in years? A. We have them here from twenty upwards.

Q. Are these men generally a support to their families or are they a charge upon them? A. They are a charge when they are in this state. In their normal condition they are generally of some assistance to their families.

Q. Would you allow their families any proportion of their earnings while they were in prison? A. We have thought of this question. Fifteen years ago I recommended the board of directors, even under the imperfect system that we have here, to make an effort to change the term of imprisonment—to increase it, and then allow a proportion of the earnings of the individual to go to his family while he is incarcerated here. In nine cases out of ten when the husbands are sent here, the wives and children are suffering. The husband himself is in a comfortable place, well housed, well fed, and well cared for. The only punishment to him is his being shut up and deprived of his liberty.

Q. Then you have hopes that a lengthened sentence with continued industrial employment would cure the habitual drunkard? A. Yes.

Q. Most of the specialists that we have met seem to think that the percentage of cures would be very small but they all argue in favor of a longer term? A. I have faith in the efficacy of it myself.

Q. Some recommend inebriate asylums for these gaol drunkards. Do you think that such institutions would reach them better with a view to their ultimate cure than long sentences in an industrial prison? A. No. They would have to change the system of sending people there and have them compulsorily detained before you can hope for much in that direction. That, at any rate, is the opinion I have formed as the result of my knowledge of inebriate asylums in the State of New York.

Q. Some people suggest that instead of putting them in prison they should be placed in a separate establishment, and away from the criminal classes, where they could be kept employed. Do you think you could in that way cure a greater proportion than you could by sending them for a long period to prison? A. Well I like that idea, but there must be discipline about it. You cannot let them go in and out of such a place when they like, and they must not be allowed to carry a bottle of whiskey about with them.

Q. Or would you recommend a ward in an organized prison where they would be separate from the other prisoners, and given all the means of employment that you could possibly provide for them? A. That would be desirable if you had entire separation from the other prisoners in the workshops.

Hon. Mr. Drury.

Q. Do you believe that drunkenness can be treated as a disease by a course of medical treatment? A. Yes, I believe that drunkenness can be cured in men just as it is possible to cure men who are insane. It is the depraved or diseased appetite that has to be removed.

Q. How long has been your experience in dealing with prisoners here? A. I have been here nineteen years.

Q. And are you certain that the short sentence system will not effect any cure upon this class of men? A. Yes, I am certain. It aggravates their condition. There is no curing effect in it for either man or woman.

The Chairman.

Q. Are many of your prisoners in for first offences. What is the nature of those first offences generally? A. We get young men who have started out in life for themselves; who have got into wild associations and got drunk, and then the next thing is they go from drink to pilfering.

Q. Do you think that the association of these young men with hardened prisoners has a contaminating influence? A. It has, I think, a bad effect upon them from the fact that the associations they form are invariably evil. We don't permit them to talk here, but prohibit them as you will, they will talk. The young man who may be sent in to morrow makes a vicious acquaintance, and when he goes outside that acquaintance is continued; then he meets those who are regarded as nice young fellows, and thus he is led into crime.

Q. That being the case, do you think that all first offenders should be treated separately from those who have three, four or five offences on the records against them? A. Yes. They should be kept in a separate part, or in a separate institution from the old and hardened criminals. I do not say that you ought necessarily to provide a separate institution, if you had the arrangement that you suggested a little while ago—a ward for this class of prisoners and a ward for another class—that, to my mind, would meet the requirements of the case.

Q. Could you carry on the work in this way? A. We could carry the work on, but we would require more room. The work of all could be conducted under one roof, but with separate wards and workshops where one class of prisoners could be kept entirely apart from another. With all those first offenders, all the young men sent to this prison I have recommended this time and again. I have advocated an increase in the sentence, so that we could turn round and do something for these people; for instance, we get a young man of twenty who cannot read or write, or we get a young man who can read and write a little, but who knows nothing about arithmetic. I recommended that an appropriation be made to establish schools where we could teach such young men the rudiments of education and do something for their improvement in that respect. The question came up; we have made attempts, but we can do nothing in that way for those short-time men who are sent here month after month. If you had these in for three months at a time it would be better. Take a young man, I mean one of the ordinary class whom you meet every day. In the course of three months you put new life into him. You can give him new ideas, and he is braced up to begin work again.

Q. Your women I suppose are generally of the drunk and disorderly class, are they not? A. Yes, drunk and disorderly, and prostitutes.

Q. What is the effect upon a girl who is sent down for some petty pilfering, if she is placed with prostitutes and old offenders of her own sex? A. In nine cases out of ten she will go to perdition. She goes out and she has no home, and in a few hours she must drift into a lower state than she was in before, and then the next thing you hear is that she is back again; back as a prostitute.

Q. Have you known cases of this kind? A. Yes, I have known them. The girl meets the same acquaintance that she may have made here. She is led astray and there is no hope for her.

Q. Would you then recommend the entire separation of women charged with first offences from all others? A. Yes, I certainly would. If it is important for a man to be separated from his fellows who are hardened criminals, it is far more important for a woman, and I recommend this most strongly.

Q. With reference to your religious services, how are they conducted? A. By clergymen from the city. Every two weeks we have a Catholic clergyman at 8.30 in the morning. He has been here ten or eleven years—he comes with unfailing regularity every second Sabbath morning, and we have every Sabbath a religious service in the chapel at three o'clock. For all these services we pay $5 each Sunday for the officiating clergyman.

Hon. Mr. ANGLIN.

Q. Do you pay the Catholic priest $5? A. Yes, sir.

Q. Do the Roman Catholics attend the general service as well? A. Yes; we have a rule like this, that the prisoners shall attend all chapel services. If an individual has

any conscientious scruples against being present at this service, all he has to do is to signify the desire to go to his cell and he remains there, but this does not occur once in six months. They regard the services as a means of recreation. We have a Catholic service as I have said in the morning, and all the prisoners and officers attend it. We all attend the Protestant and Catholic service in the morning, and we all go to the Protestant service in the afternoon; and there is not a person in six months who asks to be excused from either service.

The CHAIRMAN.

Q. Have you any means of secular instruction and are there any entertainments or readings given in connection with the institution? A. We have entertainments, or lectures occasionally in the winter time but not often; I will tell you why: We have to take our prisoners out in the blocks through the yards and some of them might get away in the dusk.

Q. Have you any industries in the common gaols of this State, or must the prisoners in your opinion be congregated together in a State prison, or establishment such as yours for hard work? A. Any system that could be introduced into the common gaols would have to be very common; my own impression is that you cannot introduce skilled labor into the common gaol.

Dr. ROSEBRUGH.

Q. I take it for granted that you believe every man should be made to do work? A. Yes.

Q. And if men are not afforded facilities for doing this in the common gaols they should not be kept there? A. No; I think it is a mistake to send sentenced prisoners to the common gaol at all.

Hon. Mr. DRURY.

Q. Does the revenue meet the expenditure in your prison? A. No, sir, it does not; I will explain to you about the revenue: The only industry from which the revenue comes is brushmaking. We collect $20,000 for the board of prisoners. We get a large number of prisoners from the State for violation of the State laws, and because this is a city institution we collect from the counties a per diem allowance for those who are sent here from the counties.

Q. How much do you get as the result of your labor in brush making? A. Anywhere from $15,000 to $25,000 a year! Last year we got about $25,000.

Q. Have you any laws upon your statute book as to the industries in which prison labor should be employed? A. Not that I know of.

The CHAIRMAN.

Q. Are you opposed to the contract system? A. In the first place I think for the superintendent or warden of a prison, the contract system is the easiest; but I think all the time of the men's life on the other side. I am in favor myself of some other system than the contract system. One of the troubles connected with the contract system is that outside men are brought in and are to an extent over the prisoners.

Q. It is suggested in Ontario that the gaols be placed under State control; do you think that your system would be improved by State control? A. Yes; I think we could get more intelligent management, and I think there is a possibility that we could get away from certain local influences that are against the best management of the gaol.

Q. Do you think you would be able to get better discipline through greater uniformity in management? A. Yes; the prisoners would be more systematized. For instance we might have one system of control here, and another at Cincinnati, and another at some other point, all at variance with each other; but with a State system we would have uniformity.

Q. What in your opinion is the chief cause of crime in the community? A. I am thoroughly of opinion from my observation and experience that intoxicating drink is the chief cause of crime.

Dr. ROSEBRUGH.

Q. Coming back to this question of drunkenness, what number of drunkards were committed to your gaol last year? A. Of the 2,057 prisoners who passed through our gaol last year 1,912 confessed themselves intemperate, and 145 claimed to be temperate.

Mr. JURY.

Q. Would you say a low social condition and unhealthy surroundings are causes of crime? A. Yes; there are those, too.

The CHAIRMAN.

Q. Do you think that poverty produces drunkenness as much as drunkenness produces poverty? A. I am not prepared to say that.

Mr. JURY.

Q. Don't you think that if people were placed in better circumstances they would not contract those habits? A. That may be so, and this might contribute to some extent to crime.

Q. Do you know that poverty leads to ignorance? A. I know that ignorance is one of the causes of poverty.

Q. Don't you find that amongst all your offenders there is a larger amount of illiteracy than there is in the general community outside? A. Yes.

Q. Then if ignorance tends to poverty, we know that poverty tends to crime? A. Yes.

Dr. ROSEBRUGH.

Q. I suppose idleness is the cause of drunkenness? A. Yes; men who are idle drift into wrongdoing, and generally to intemperance, and then intemperance again leads to other wrongdoings.

Q. I should like to draw your attention to these resolutions or recommendations passed at the Prison Reform Conference in Toronto, in November of last year. The first is: "County gaols should be maintained only as places of detention for persons charged with offences and awaiting trial, and should not be used for prisoners after trial and conviction." Do you approve of that? A. Yes.

Q. The second is: "County gaols should be conducted strictly on the separate or cellular system?" A. I have not come to any definite conclusion on that point.

Q. Then as regards the third: "Persons convicted of crime should not be detained in county gaols but should be dealt with according to the age and natural proclivities of the criminal?" A. I am in favor of that.

Q. Are you in favor of this: "A boy under 14 years of age not previously vicious should be restored to his parents upon their giving a guarantee of his future good conduct; failing this he should be sent to an industrial school?" A. Yes.

Q. Then what is your opinion of this recommendation: "A boy under 16 years of age having a natural tendency towards crime, or being convicted of a second offence, should be sent either to a reformatory direct, or to an industrial school direct, according to circumstances, and a special court should be organized to deal with these cases, as well as with females charged with light offences. A boy should never be brought to the open police court nor be sent to a county gaol?" A. Yes, in our police courts the judge is directed to give them a private examination.

Mr. JURY.

Q. Don't you think there is a danger in this. Is not a man who has four or five children and in struggling circumstances likely to take advantage of this law and get a boy into an institution? A. Such a thing would occur, but I think that would be the exception. There is the possibility of it, however, occurring in a few instances, but you must look at the general advantage that it would be to the young who are in danger of falling into crime.

Q. Don't you think that a boy should be under the observation of some officer of the State corresponding to the agent of the State Board in Massachusetts, whose duty it would be to watch the conduct of such children, before he was sent to a reformatory? A. I would not have a boy sent without a proper trial.

Dr. ROSEBRUGH.

Q. What is your opinion as to the sixth recommendation: "Industrial schools and reformatories should not be considered as places for punishment, but should be utilized wholly for the reformation of character. The young persons sent to these institutions should not be committed for any definite period, but they should be detained until reformation is attained, irrespective of the time required. The officers of these institutions should be carefully selected, preferably by a system of examination and promotion, and without reference to party or social influence?" A. I agree with that.

Q. Then as regards the next: "As industrial employment is a necessary step towards reformation, and this cannot be supplied by the county gaols, the necessity arises for prisons and reformatories of ample dimensions, where such employment can be provided and where other influences of a reformatory character may be utilized, and where a system of classification may be carried on?" A. I approve of that.

Q. What do you think of this: "Tramps and habitual drunkards should be sent to an institution where they can be provided with productive industrial employment, and where they can be brought under reformatory influences, and they should be detained in said institution under indeterminate sentences; incorrigibles should be sentenced to penitentiary for life, they should be considered as having forfeited all right to regain their liberty unless reformation takes place?" A. We have a law here in Ohio, providing that incorrigibles shall be sentenced for life.

Mr. JURY.

Q. How are boys committed to this place—privately? A. Yes; their examination takes place privately in nearly all cases.

Dr. ROSEBRUGH.

Q. With regard to the indefinite sentence, how long would you keep a prisoner under that system in your gaol; until you thought he satisfied you that he was thoroughly reformed? A. I would make the period of indefinite sentence applicable to each prisoner until there was some evidence of a determination to reform, and not only to reform but to continue his course of reformation.

MANSFIELD, O., August 25th, 1890.

Present.—J. W. Langmuir, Esq., Chairman; Hon. Charles Drury, Hon. T. W. Anglin, Dr. Rosebrugh, A. F. Jury, Esq.

General R. BRINKERHOFF, gave evidence.

The CHAIRMAN.

Q. This is a Commission appointed by the Government of Ontario, for the purpose of inquiring into various matters connected with the management of prisons, and reformatories with the causes of crime, and with the treatment of juvenile offenders. We would like to get from you a *resumé* of the Ohio prison system. Are your gaols called district or com

mon gaols? A. County gaols ; they are under the control of the county ; they receive no support of any kind from the State ; they are exclusively managed and supported by the counties.

Q. Is there a county gaol in each county of your State? A. Yes, sir ; there are 88 county gaols in this State.

Q. Would these gaols in your opinion be improved in their general management and discipline by complete State control? A. Vastly ; I have no doubt of it at all. We have advocated this change for 20 years. They will never be what they ought to be until this change is made. We would have a much higher grade of management. The managers of our county gaols are our sheriffs, who are not selected with any view as to their fitness for the management of the gaol, and who give very little attention to this portion of their duties. The sheriff usually has somebody who acts as keeper in the gaol, and he devotes the greater part of his attention to other matters. Then again there is no unity in the management of our county gaols. Some are bad, some are better, and some are pretty well managed. We have got one gaol in the State which is pretty well conducted. Our Board has got the control of this. We are generally able to control this so that the system of separation can be enforced completely. Yet this is the only one in the State of Ohio that carries out the principle in its entirety. If we had State management this system would be carried out right through. I have got the law passed through the State Legislature there is no objection to it now, making the absolute separation of the prisoners, where the construction of the gaol will permit it, mandatory.

Q. Do you think that the county management or municipal control has generally a lowering effect upon prison administration, although thoroughly economical? A. I believe that so far as the common gaol is concerned it stands fairly well in that way. The gaolers receive a certain amount for the board of the prisoners, and of course it is to their interest to be economical.

Q. How much does he receive? A. I am not sure ; I think it would be about fifty cents per day for each prisoner, sometimes a little more, sometimes a little less.

Q. Do you think as regards prisons and reformatories that this is a bad system, and has the sheriff a pecuniary interest in the dietary as well as the gaoler? A. The sheriff is the gaoler. It is the worst system in the world, we have nothing to brag of in the way of our gaols except that we have built a few model buildings where the principle of separation is insisted upon.

Q. Have you any systematic method of employing prisoners except keeping the gaol clean and such things? A. None whatever. But we have a system marked out and are now working it out as far as we possibly can. We have a system of district workhouses, and whenever a man is convicted of a serious misdemeanor the practice is that he should be sent to a district workhouse, and the gaols would simply be used as places of detention for the prisoners. That is what we are working out now, and to a certain extent we have the plan in operation.

Q. How many counties should combine for one workhouse. A. That would depend upon the population. I think we can generally get along nicely with those we have now —one at Cleveland under municipal control, and one at Cincinnati under municipal control.

Q. Have you no workhouses for the rural constituencies? A. No, except one at Grangeville, and it is a small establishment. The rural constituencies avail themselves of the workhouse at Cleveland to a certain extent.

Q. What do you think should be the maximum and minimum population for a district workhouse? A. Well, as to the maximum, where you want to carry on the establishment upon an economical as well as a reformatory basis—I think that the maximum of any prison whether a convict prison or a workhouse ought to be not more than six hundred, and I think three hundred will do well, that is, for effective management with

a due regard for economy. The number should not be less than three hundred. From three to five hundred is a fair thing. I should prefer even a lesser number than three hundred to a greater number than five hundred, but with a fair sized establishment you are more likely to have a higher grade of superintendents and managers.

Dr. Rosebrugh.

Q. In Ontario, as you know, we have a Central Prison, and it is proposed that we should have a second one in the east and a third one in the west of the province. Granting that the Ontario Government establish these two additional prisons, would you have them all on the same plan, dealing with the same class of prisoners, the same kind of employment and the same means of reformation ; or would you rather have them graded, one prison to take one class and one another? A. I would grade my prisons as far as I could.

The Chairman.

Q. Our prisoners in the Central Prison are of a more varied order than we find in the House of Correction at Detroit and much more varied than in the Workhouse at Cleveland. While we have a considerable number of the drunk and disorderly classes, we have men there who, in the opinion of the judges need as severe discipline as they can get in the penitentiary at Kingston. Would it be well if the Government thought it desirable to establish two more prisons corresponding in size to the Central Prison in Toronto to have one of a higher order, where youug men would be placed for first offences, something on the Elmira principle? A. By all means. You could have one prison for the incorrigible class. I mean by "the incorrigible class" high criminals—men who have been convicted of second or third offences, I would have a grade for them, I would have a prison specifically for that class and no other, and I would not allow them to associate at all with the other classes of prisoners. In the same prison you might have long term prisoners, or life prisoners, but certainly young men convicted ot first offences should in no case be allowed to mix with them.

Q The question is whether by some mutual arrangement between the Federal and the Provincial governments the prisons might be properly graded, so that there would be, under the system a thorough classification of prisoners? A. We have been contemplating for some time in Ohio the system that we are working up to. We have at the bottom of this system county gaols and these we try to make simply places of detention for prisoners awaiting trial. We want to have a sufficient number of workhouses, one in the north-west and another in the south-east to enable us to deal pretty fairly with the men who are convicted of misdemeanors.

Q What does misdemeanor mean under your laws? A. Men convicted of offences punishable by periods of less than one year. All robberies, burgularies, larcenies are regarded as misdemeanors if the punishment to which the criminal is subjected is less than one year. Nobody convicted of felony receives a less sentence than twelve months. Then we come to the next step. We come to the reformatories in which we are the leaders in this country. We have the Lancaster Industrial School for boys, where any boys can be sent, except those who when convicted are over sixteen. This establishment is conducted on the cottage system. Then we have at Delaware an industrial school for girls, for the same class of female offenders. We have now in course of construction an intermediate penitentiary at Mansfield. It has now been in course of erection for some years and we intend to show you over it this afternoon. When this is opened it will be conducted on the Elmira system. There we will take young men under thirty years of age, commit them for indeterminate periods as they do to Elmira, and we propose to adapt the penitentiary at Columbus for incorrigible offenders and those committed for high crimes.

Q Do I understand that your system will, when complete, comprise first, county gaols ; second, district workhouses ; third, reformatories for boys and girls ; fourth, an establishment called the intermediate penitentiary, for prisoners between the ages of eighteen and thirty convicted of first offences ; and fifth, the present penitentiary to be turned into a prison for incorrigible felons. A. Yes, that is our general prison scheme.

Q. Does this plan involve the conversion of the common gaols into places of detention exclusively? A. Yes.

Q. Where would you put your civil prisoners—debtors, indigent witnesses, etc. A. We have no place, we have the common gaol for prisoners of that class.

Hon. Mr. DRURY.

Q. You have, I suppose, municipal by-laws in all your townships, and the by-law being infringed renders persons liable to a penalty. With your system of using the common gaols for places of detention only, what would you do with this class of prisoners? A. I am thoroughly in favor of the treatment of such classes by certain grades. For instance, a young fellow gets into a row, and is summoned before the mayor. I would not give this fellow a long term. I would put him on bread and water and put him in the common gaol for ten days.

Q Then for this class you would make an exception to the rule that the common gaols should be used only as places of detention? A. Most certainly, I think it would do these men more good to treat them in this way than to place them in a prison where they would have hard work and perhaps be associated with more or less hardened offenders. In the case of people committed for ten days it would swallow up most of the time in travelling if we had to take them to the larger prisons.

The CHAIRMAN.

Q. Don't you think that in many instances the ten day drunkard is just as bad as the fifty day one, that there is little or no difference between the two men? One police magistrate might sentence for ten days, and another would send the man down for two months. A. I was speaking of those minor offences, breaches of the by-laws and the like. It is the law that where a misdemeanant is convicted of his first offence he shall be sent to the workhouse at the discretion of the judge as to time and fine. I think that for a second offence the fine and time should be doubled; for the third offence they should be again doubled; for a fourth offence the man should be sent for a period of five years, subject to parole after he has served one year.

Q. How would this help you when you still leave first offenders in the common gaols. A. Double their terms. If these men should be so lost to shame as to repeat their offences I would put them into the house of correction after that. For a first offence give a man ten days and then for the next double it. Then let him go to the workhouse.

Q. In the gaol all would be treated in the same way, placed in separate confinement just as a man waiting trial? A. Yes.

Hon. Mr. ANGLIN.

Q. Would you deal with them in the same way as regards dietary? A. No, I meant as regards confinement, but if a man is under sentence it is quite proper to employ him in keeping the prison clean and at any work of that kind.

The CHAIRMAN.

Q. Have you any gaols in your State exclusively for the confinement of prisoners waiting trial now? A. There are some, but I don't think I could name them just at present. That is not the general system yet. They use them nearly all for short date prisoners for minor offences. There are some northern gaols where they send longer term prisoners.

Q. Have you any gaol where prisoners are confined strictly on the cellular or separate plan? A. Yes. We have one in Mansfield and they have one at Columbus, too. The courts in our State have a right to make rules governing the gaols. It is about six years since we had our gaol rules completed. I had the county judge here—a very sensible

man—and we talked the matter over together. He drew up some rules and these rules have never been changed since. They imposed upon the gaolers that there should be absolute separation of prisoners.

Q. Does this absolute separation extend to air and exercise? A. Yes.

Q. The prisoners do not see each other? A. No.

Q. What would you do in the case of a man charged with felony who came in immediately after an assize court was over and who would have to remain in gaol three or four months until the next assize for trial. Would you keep him separate from the other prisoners all that time? A. Yes; certainly.

Q. What are the sizes of the cells in which you keep these men? A. About seven by eight, I think. I would have them bigger if I had my way; I would have them eight by ten or ten by twelve. In Circleville we have one of these gaols constructed on the principle I have described. I think the only good classification you can have is in a properly constructed gaol. We have a new gaol in Columbus specially adapted for cellular confinement. Each prisoner has a large room or cell and is completely isolated.

Q. How do prisoners awaiting trial regard this separate cellular confinement? A. It depends altogether upon the class of prisoners. If it is an old crook, an habitual offender, he hates it as the devil hates holy water. If it is a chronic tramp who wants to be kept in gaol, who wants his board at the expense of the county, one of the men who in the old time used to tell the guards funny stories, he does not like it; but I do not think such men ought to be asked whether they like it or not. Then there would be another class like a man who came in some years ago who was very indignant that he should be put in solitary confinement. I told him that there was no discretion given as to his wishes in the matter and he must submit, and so he did He thought the thing cruel at first, but presently he discovered that although he did not see any of the other prisoners none of them saw him, and consequently he did not make the acquaintance of any of them, and he said it is the finest thing in the world. I was never in a gaol in my life before and I will not do anything to get into another when I leave here; I have not made any gaol acquaintances, I know none of the people here who would be likely to come to me from the gaol and say "I am Jim. so and so, you are Joe. so and so. Don't you remember me? We were in gaol together."

Q. Have you heard it stated by medical men and others that solitary confinement has a bad effect on the men mentally. What do you think of that? A. Unless they were in for six months or twelve months or a longer period I should say it had not, but I am utterly opposed to this kind of treatment of men sentenced for long periods of time. There are not many penal establishments in the United States where they carry out that principle upon sentenced prisoners, probably not more than one or two. The only place I can think of at present is in Pennsylvania, where there is absolute separation of prisoners. Those in there for one, or two or three years never see each other. The rule is strictly adhered to, but as I say I don't believe in the system of solitary confinement extended over a long period. For men awaiting trial in the county gaols, however, I hold that the system is by far the best. I think the congregation in the corridors is simply a school for crime.

Q. Then, you think that separate cellular confinement has a reforming influence? A. Largely.

Q. Do you think it would have a deterrent effect to keep prisoners in separate cells in a reformatory? A. Yes. All this class of prisoners are very fond of association. There is no company in the world that they dislike so much as their own, but the men who fall accidentally into crime prefer solitary confinement.

Dr. Rosebrugh.

Q. You think that up to six months there is no danger of men being affected injuriously by cellular confinement? A. No; but there are very few in even for that length of time awaiting trial.

Q. In case the gaols are made absolutely places of detention would it not be well to change the name? A. I do not know; a rose by any other name would smell as sweet.

The CHAIRMAN.

Q. Your ideal prison and reformatory system involves this separate cellular confinement in the common gaols? A. Yes. All the new gaols are built with a view to carrying out this principle.

Q. You have, I presume, lock-ups in every town; do you think that a great deal of harm is done in these lock-ups? A. Oh, immense; but the prisoners are there only over night.

Q. Say that a poor working girl, charged with some slight crime, is locked up with a prostitute, what would the effect be? A. The effect must be very bad.

Q. Do you think that this kind of association could be avoided in the lock-ups? A. Where we are building new ones we take care to provide accommodation for keeping such persons apart, but the system can only be improved with time.

Dr. ROSEBRUGH.

Q. The question is whether the government should not make a start with a new system throughout? A. No, the government has nothing to do with it, our people would not hear of allowing the government to interfere in such matters.

Q. If you could not have complete separation between the prisoners of the various classes, would it not be better to make some attempt at classification? A. Yes, certainly; if you cannot have absolute classification, by all means have some classification, keep the young and the innocent away from the hardened and guilty. I would advise you to visit the Circleville gaol, where you will see the best that we have done in this direction, but even that is not by any means perfect, for the reason that you cannot very well build a prison where the old crooks will not be aware of each other's presence in the same building and where they will not communicate by signs. I presume that if you take an old criminal and put him in a gaol he won't be an hour there before he knows whether there is some friend in the establishment. Notwithstanding all the precaution that you may take, all the classification that you may enforce, you cannot keep people from talking together sometimes. These men will endeavor to communicate by signs and sounds.

Q. We feared in our province that if we waited for the county councils to inaugurate the cellular system it would never be done, but you have been able to make a start with that system here? A. We have, but if the Government or the Legislature of Ontario place the gaols under the control of the State entirely, they could order this and have it carried out. They could at any rate insist upon the new gaols having these advantages.

Mr. JURY.

Q. How long has the cellular system been in force in this State? A. It has been in force in Mansfield for about six years. We have got thirty gaols so constructed that if the judges compelled it this principle of separation could be enforced.

Q. Do you know of any gaols under the system now? A. We have had a law passed unanimously making this compulsory. In Cleveland they have the central corridor system, and they could have the absolute separation of prisoners at all times, but as a matter of fact, they have only absolute separation until noon and then they give them an hour together.

Q. You have not really decided this question then? A. Yes, we have decided it, it has been decided six years, but we can only get it carried out slowly.

Q. Have you had an opportunity of judging what the results have been? A. It has been tried for six years, and so far as I know the results have been satisfactory, but it has not been put into operation to the extent that I should desire.

The CHAIRMAN.

Q. There is no law making separate cellular confinement absolutely compulsory? A. There is a law, but the county authorities make rules. They have the absolute control of the gaols and they make the rules.

Q. Have you noticed whether the number of re committals has been less in your district since you had this system than it was before? A. We have only a few prisoners in this district.

Mr. JURY.

Q. I would like to have the matter judged by results? A. You know that if you take half a dozen crooks there is nothing that real scoundrels like better than to gather half a dozen others around them and tell them stories of how successful they have been in crime. If a young man goes out and makes up his mind to do well, he is always in danger of being drawn into crime by these scoundrels. Very often a man who is known by these old fellows gets dragged down by them. Here, we will suppose, is a man who, through some accidental circumstance in his life, was committed to gaol. It was his first offence, but while he was in gaol he was associated with some of these hardened characters. He resolved that when he got out of prison he would never get himself into such trouble again. His punishment in the natural order of things has expired and he has got a place. He is doing well in some situation, whatever the nature of it may be. One day an old prison companion comes in to him, taps him on the shoulder and says, "How are you, old fellow? How long is it since you were in Mansfield gaol?" "Oh, don't give me away," would be the pitiful appeal made and then this scoundrel levies blackmail as the price of his silence.

The CHAIRMAN.

Q. I understand you are not troubled with many tramps in this neighborhood? A. We are not; tramps give Mansfield a wide berth now. Those fellows go where they can have good times, where they can warm themselves in winter, and then in the summer time they take to the country districts. Bread and water and a cold cell are cheerless fare for them.

Q. Do you provide any reading matter for the prisoners who are committed to your gaols? A. That is left to the sheriff, but there is nothing systematic. I have tried to give something myself, and several of the aldermen have once or twice done something.

Dr. ROSEBRUGH.

Q. Notwithstanding all this, when the law takes hold of a man and places him in one of your gaols in which the cellular system is in existence, that man is made no worse? A. He is made no worse. It has been tested on a large scale in Boston in the Suffolk county gaol, which is a thoroughly administered gaol under Sheriff Clark who had charge of the arrangements. In Suffolk gaol, out of 25,000 prisoners who went through the hands of the officials there, every man went out better in body and mind, cleaner in every respect than he was when he came in.

Q. Do you know how the local prisons are managed in England? A. I have been in communication with a gentleman in England who knows more of prison reform than all the other authorities combined. He wrote to me in the first place about ten years ago. I allude to Mr. Barwick Baker who founded the first reformatory in England. He told me all that he had accomplished in Gloucestershire and in England; how his system from a small experiment in the first place had gradually expanded until it radiated through the whole country

Q. You have heard that the local prisons there are arranged on the cellular plan? A. Yes.

Q. And since that has been in operation has it not been one of the most important elements in lessening the amount of crime? A. Oh, undoubtedly!

Q. Do you think that solitary confinement in the local gaols is a good thing? A. I most certainly do. I think it is the foundation—the starting point of all work of a reformatory kind.

The CHAIRMAN.

Q. What is your opinion as to the indeterminate sentence? A. The indeterminate sentence is a misnomer so far as this country is concerned, or any other. What we mean by it is a sentence with a maximum limit and a minimum limit, subject to parole —a certain period of imprisonment with liberation on parole.

Q. Parole or discharge? A. Yes, our men are allowed release upon good conduct, and this practically discharges them from prison custody, but under parole they can be brought back at any time.

Q. Do you look upon the Elmira system, where the maximum is fixed for every crime, but under which a man may work his discharge by proper conduct, as the indeterminate sentence system? A. Yes.

Q. The fact that there is a maximum fixed in no way alters your opinion upon the sentence being indeterminate? A. No. We have a system here in Ohio under which a man may be sentenced for burgulary, or whatever other offence it may be, and the law carries with it this, that he may be held for a period not exceeding the full time that he could have upon sentence under law. The sentence for burgulary is not less than one year nor more than ten. If it were arson it would be not less than one year and not more than twenty years. This law is applicable only to felonies.

Q. Men convicted of burgulary or other serious offences can, under our law, be sentenced for no longer than two years less one day to the Central Prison of Ontario. The variety of prisoners is great, but that is the maximum limit of their sentence. Could the indeterminate system be applied there? A. I would say not without the parole system—whereby the prisoner would earn his remission. Under the indeterminate sentence the man who was sent there for any crime which he committeed might be held for the maximum period if he did not succeed in earning a remission.

Mr. JURY.

Q. Do you believe in a man earning his parole by a system of good conduct marks, badges and so on? A. Yes.

The CHAIRMAN.

Q. Assume that a man is contemplating the commission of a crime whereby he might become possessessed of a large amount of money, and he says to himself, "This will land me for perhaps ten years in the penitentiary," but he hears that under the indeterminate sentence system he will have a chance of working himself out of prison by good conduct and obeying the rules, in eighteen months time." What effect would this have upon a man who is contemplating such a crime? A. The effect has been this, that the Elmira reformatory is of all prison establishments the one that prisoners most dread, the one that they most desire to avoid. They avoid this prison for this reason. A man comes in under the indeterminate sentence principle. Sometimes he will be tempted to try to fool the superintendent, but he discovers in a very short time that the superintendent is a man who cannot be fooled, and that there is no way of getting out of the prison except by a real change of character.

Q. You think that the habitual criminals really want to avoid this prison, as well as those who contemplate first offences? A. Yes, they all desire to avoid it, the discipline is so irksome to them; there is nothing that they hate so much as strict discipline.

Q. Take the case of a man who commits a crime. He is not known to be a crook or offender of the laws before. He goes into this prison and his conduct is the best. He has made admirable progress in industrial training, his character is excellent and his prison life is entirely satisfactory. How is Mr. Brockway to read the real character of such a man? A. No man will go through the curriculum of Elmira and get the marks that will entitle him to his release within an early period unless he is absolutely in earnest. The man does not exist who will fool Mr. Brockway very far.

Q. My ideal prisoner is the man who has taken his life in his hands, and says to himself, "I am going to get my $5,000 and if I am caught and convicted I shall get out of the prison in a year." This man's life has been exemplary up to this time; how are you to deal with him? A. The superintendent is a man who would know all this. A man would not go out of this establishment simply because he had got his marks, but because Mr. Brockway would recommend his discharge—because he had satisfied the authorities that he was a changed man. I can assure you that in New York prisoners will do anything in their power to keep out of Elmira.

Hon. Mr. DRURY.

Q. Still you must remember that there is only one Mr. Brockway? A. That is so.

Q. We have had a great deal of evidence from the heads of institutions in this direction that some of the very worst men are model prisoners? A. That is always the case.

Q. Now take a man who wants to get out under this system, and there will be many men not so penetrating who are in charge of prisoners, not so skilled in looking through men as Mr. Brockway, would you have any fear of this indefinite sentence system as regards them leading to a vast amount of hypocrisy? A. I do not think so, very largely because there is no intelligent warden who is brought into contact with the prisoners but understands them in a short time. Men will slip over somehow if they are brought under rigid discipline and a thorough system of watchfulness in a certain time.

Q. Who are your best prisoners? Are they not some of the very worst criminals in the state? A. They are. These men have no marks against them, they are all good workers and apparently good men.

Q. Under the indeterminate system the warden gets this class of men and he says "They conduct themselves well throughout, and I will recommend them for discharge as soon as they have passed over their minimum periods?" A. We get in young men for first offences, under thirty years of age, but we don't get in these cool, calculating heads under this system. You have to remember that this is left to the discretion of the court. The courts look to a man's past record. They would not send the habitual offender in under the indeterminate sentence. There are not many men of this class in Elmira reformatory. I do not hesitate to say that they will be few in number, and these a wise and experienced warden will soon pick out.

The CHAIRMAN.

Q. There is no doubt of that as regards some, but what is your opinion of the professional or skilful criminal who is one of the most skilful men in reading character—a man who, while Mr. Brockway reads him, can read Mr. Brockway? A. I think the chances are all in favor of Mr. Brockway.

Q. Is there any danger of those who have earned their release and who are out on parole skipping away. A. It is very rarely that one of these prisoners skips away from Ohio. We have lots of them around doing well, and they don't attempt to go away.

Q. I suppose you are firmly of opinion that whatever disadvantages there may be under the indeterminate system as applied to adults, the advantages of that system, so far as juveniles are concerned, are beyond all manner of doubt. A. I have no doubt whatever, as regards the juvenile offenders, of the advantages of the indeterminate sentence.

Dr. Rosebrugh.

Q. I suppose you believe that a man who is thoroughly bad, as is shown by three or four convictions, who instead of being improved has gradually become worse, should, instead of being put in for five or ten years, be incarcerated for life. A. Yes, we have a law here passed in Ohio in 1888 making this compulsory.

The Chairman.

Q. What is your system of dealing with destitute or neglected children of both sexes, who have drifted into crime? A. We have a system which is unique in this state. The counties are authorized whenever they feel so disposed—but they first have to submit it to the vote of the people—to construct what is known as a children's home. All children who are waifs in the world, who are not under proper care, whose parents are bad or who are orphans, or who, from any other cause become dependent children are taken into these homes and cared for, and they are under the control of the county, and under the management of the board of trustees. This is a shelter for them. They are schooled and trained, and just as soon as it is practicable to find them a home, they are placed in families. There are altogether thirty-seven children's homes in the state supported by the counties, giving accommodation for very nearly three thousand children. Last year the daily average for the year was 2,187.

Q. Take a child growing up under the influence of a drunken and dissolute father and mother. Does the law provide for the state authorities taking away that child? A. Yes; we have children of this kind in those homes now. I am president of the Humane Society here for the care of children. There was a law passed last year which gave us a considerable increase of power in dealing with these.

Hon. Mr. Drury.

Q. I suppose the laws of Ohio are the most advanced in the United States? A. Yes, I think so. The law passed last winter authorizes the employment of county or district agents, and it was intended to give greater efficiency to the work of placing out children from the homes. The usefulness of the homes could be greatly increased by a more efficient system of placing children out into permanent homes, either by adoption or indenture.

The Chairman.

Q. What do you do with those who have committed offences against the law? A. We send them to the Reformatory at Lancaster if they are boys. Such boys are sentenced during minority or subject to control until they reach years of maturity. We always endeavor to impress upon the home authorities that they are to give shelter temporarily to these people, until a natural home can be secured for them. They generally go into farming communities when they are placed out. The result of the system has been very good. It has tended to reduce the number of juvenile offenders.

Q. Would you recommend the Massachusetts system of probation under the parents, and if the parents are found unsuitable, of boarding out? A. Yes; I think I would where any systematic dealing with children is carried out.

Q. Do you think that this would be better than sending them to your county homes? A. No, I would not say that.

Q. Do you give instruction at all in your homes? A. Yes, both educational and industrial.

Q. What do you think of the system of grouping counties together for the establishment of these homes that are of the nature of industrial schools? A. We have found that the combining of counties works badly, because they disagree amongst themselves as to the share of responsibility for maintenance. We believe that is, our board think, that the industrial school for boys should be purely a school of technology—that is, for giving practical training. I think that is the best idea of a reformatory for boys. We would have young lads fitted for occupations in life, and to give them this training is the way to fit them. The prominent idea is to qualify them for entering the world on their own account.

Q. You are a member of the Board of State Charities of your state? A. I am.

Q. Your board has nothing to do with reformatories except as to inspection. A. No.

Q. From your observation and experience do you think that the dormitory system as compared with separate rooms for boys is the best? A. The dormitory system for a good many reasons. They are less liable to fall into vice. The supervision and discipline as a rule is far higher, and I think it is more human as regards the boys.

Dr. Rosebrugh.

Q. Has this system of sending children out to farms and other places worked well? A. We find it has worked satisfactorily.

Q. Have you any means of supervision over the children afterwards? A. We visit them.

The Chairman.

Q. What in your opinion are the chief causes of children becoming vicious and falling into criminal ways? A. The chief cause is want of family government and so forth.

Q. Do you think that hereditary taint has anything to do with the matter? A. Yes, undoubtedly.

Q. Do you think that this taint will show itself when the children grow up? A. Oh, yes, it will show itself, it runs in the blood.

Q. It seems, then, an almost hopeless task as regards some, to effect their reclamation from criminal habits? A. The only way to do is to separate them from the father and mother early in life and to put them under better influences. The child can be secured from this life of crime and it can be reconstructed morally. I know what it is. I raised two families myself. One was my own, and my own boys never gave me any trouble. And then I had another family, children of a man of great force and power, passionate and uncontrollable occasionally. They had exactly the same training as my own children, but they were stormy and violent, and I could never eliminate that disposition from them.

Mr. Jury.

Q. How old were they when they came under your charge? A. The oldest was not more than ten, the youngest between two and three. They were thoroughly honorable and straightforward people, but they inherited from the father this tendency to passion.

Hon. Mr. Drury.

Q. Supposing that they had been taken away at their birth? A. It would not have been the same I am sure.

The Chairman.

Q. Should, in your opinion, a prison be self-supporting by the labor of the prisoners? A. Well, it just depends. A prison which is not a reformatory, but a place

for punishment only, ought to be made self-supporting; but for a reformatory the work of reformation is the one idea which should be held in view throughout. Labor is unquestionably an important factor in prison management.

Q. What laws have you in your statute book affecting prison labor? A. You will find a law that provides for the abolition of the contract system and the substitution of the piece price system in the state penitentiary. This law reads: "From and after the expiration of any contracts now in force between the state and the contractors for the labor of the prisoners in said institution, none of the prisoners in said institution shall be let on said or similar contracts, except as hereinafter provided, but shall be employed by the state upon the plan and in the manner as follows, namely:—The managers shall employ all persons directly for the state, whenever the legislature shall provide means for the necessary outlay on machinery, materials, etc. as capital; it shall be competent for the managers to provide employment for any number of prisoners by an agreement with manufacturers and others, and to furnish machinery, materials, etc. for the employment of the prisoners under the direction and immediate control of the managers and their officers, and the said managers shall make such rules as are necessary and proper for the classification of the prisoners on the piece or process plan, and before making any contract therefor they shall, if they deem best, advertise for bids for the product of such labor on the plan aforesaid, in one each of the newspapers published in Columbus, Cleveland and Cincinnati, once a week for at least four weeks; the advertisement shall specify the kind and quality of labor to be employed, and such other particulars as may be necessary. Each bid shall specify the amount bid for the product of such labor on the piece or process plan; provided that convicts temporarily idle upon the passage of this act may be contracted for on the above plan without advertising. Each bid shall be accompanied with a bond with sureties to the satisfaction of the board that the bidder will comply with the terms of his bid if it be accepted. And said managers shall award the contract for the product of said labor to the best and most satisfactory bidder upon sufficient security to the board for the faithful performance of the contract; but the board may reject any bid if it be against the interest of the state or the welfare of the prisoners. But under no circumstances shall any contractor of the product of convict labor have correctory supervision over or control of the labor of the convict. And no contract shall be made that will bind the state to any system for a period exceeding five years, and it shall be competent for the managers to arrange with the employers of the prisoners under this act to pay for the labor of such number of laborers necessary for the conduct of such general business (when they are employed in connection with larger numbers of other prisoners working by the piece or process plan) by the day, or week or otherwise, as may be agreed; but no arrangement shall be made or entered into by the board for a longer period than one year that will produce less than 70 cents per day for the labor of able-bodied convicts, excepting that convicts during the first year of their sentence or those who are entirely unskilled, or disabled by disease, or old age, cripples, females and minors, may be temporarily hired at less than the above rate, and all prisoners under the age of twenty-two years shall be employed, when possible, at hand work exclusively, for the purpose of acquiring a trade. The managers are required to employ all the prisoners that are necessary in making all articles for the various state institutions not manufactured by such institutions, as far as practicable, and the institutions shall purchase and pay for such articles as far as possible the market price of such articles.

Q. Do you think that the piece price plan is better calculated to produce reformation? A. Yes. In a reformatory I would not have the contract system under any circumstances whatever. Where there is a prison for incorrigibles only, you might apply it. Some men are not capable of working up to the standard, and others are bribed to supply the deficiency. With this system you cannot have thorough discipline. The contractors try to make what they can out of the prison labor, and every consideration is sacrificed to that.

Q. What, in your opinion, is the chief cause of crime in the community? A. The cause of crime is, to a very large extent, in my judgment—indeed, I think that more than half the crime in the country arises from the fact that young men do not receive proper education and training. In many criminals drunkenness is not the cause of crime. Amongst high criminals you very rarely find a drunkard.

Q. What would be your mode of dealing with the habitual drunkard? A. I would deal with him on the indeterminate system cumulatively. Under the present system, here is a man who is sentenced ten, twenty or thirty days. He has been in gaol once or twice, he does not care much about it, because there is no disgrace attached to it. He gets sobered off, he has medical attendance and food, he has been doctored up thoroughly, and he is ready for another debauch, but by the cumulative sentences his punishment is doubled each time, and it will reach him eventually.

Q. Do you believe that these people are generally supporters of their families? A. They are a weight upon them in a great many instances.

Q. What are your views upon inebriate asylums? A. I don't believe in them. I don't believe in this method of dealing with the drunkard as if he were an unfortunate man. I don't think that drunkenness should be treated as a misfortune. It is not a disease until a man makes it a disease. It is not necessarily inherited. Here you take young fellows from the country. They come in to have a good time around town, play pool, and hoot and howl. If you lay your hand upon these fellows, give them thirty days with bread and water, and tell them that if they come back it will be doubled, that will take some of the evil out of them.

Mr. JURY.

Q. Do you remember when this was an agricultural state whether crime was as prevalent in proportion to the population as it is now, that it has become, to a large extent, a manufacturing state? A. No, I think crime has increased.

Q. That is not the case in England, which is a manufacturing country? A. No, it is not so in England.

Q. How do you account for the difference? A. It is the different system of dealing with it. When Mr. Baker commenced in Gloucestershire forty five years ago with his little reformatory on his own lines, there were in Gloucestershire seven prisons, and they were all full and they were talking about building an eighth. After forty years had passed away, and his reformatories had been established all over England, the reduction in crime was marvellous. There is only one prison in Gloucestershire now, and it is far from full. I believe that the prison system in England has been largely instrumental in reducing crime. In one of his letters to me, Mr. Baker said, "When we commenced we had seven prisons, and they were all full, now, after forty years, we have one prison in the county and it is not full."

COLUMBUS, OHIO, August 26th, 1890.

Present:—Hon. Chas. Drury, Hon. T. W. Anglin, A. F. Jury, Esq.

Dr. Byers, Secretary to the Ohio Board of State Charities, giving evidence said that the county gaol is used for the confinement of prisoners awaiting trial, and of a small number serving short date sentences, that the custom has been to commit United States prisoners to the county gaols, and that they have had, amongst others, a good many Indians for certain classes of crimes. Amongst the United States prisoners are post-office offenders, postmasters who go wrong, and offenders against the customs laws. The sentences of some United States prisoners run as high as a year. That is the maximum, and the minimum would be ten days.

Hon. Mr. Drury.

Q. What proportion would the prisoners serving sentences bear to those awaiting trial. A. The number varies, but I suppose those serving sentence would be about ten per cent. of the total number confined here.

Hon. Mr. Anglin.

Q. What is the present population of the gaol? A. Thirty-four.

Q. How many cells have you? A. Fifty-two cells. There is a wide central corridor, and there are corridors between the cells and the walls. Every prisoner here is bathed once a week, and this is the only opportunity they have of communicating with each other. The men are allowed to read newspapers and you see on each bed a Bible. They are allowed, one by one, to have exercise in the central corridor. The cells are well ventilated and lighted. They measure eight feet by ten. There is no system of labor of any kind.

Hon Mr. Drury.

Q. Do the sentenced prisoners do any work? A. They do some work, they keep the gaol clean. In each cell there is a neatly constructed spring bed, which costs $2.90. There are two dark cells off the central corridor. We have occasion to use them sometimes.

Q. Are juvenile prisoners ever sent here? A. No boys are sent here for any length of time.

Q. If boys were sent here awaiting trial what would you do with them? A. We would put each boy by himself in one of these cells.

Q. In practice do you find that prisoners talk with each other in these cells? A. Oh, yes.

Q. Have you ever had the curiosity to ascertain what they were talking about? A. Never.

Q. In our country prison reformers say that persons mixing in the common gaols form acquaintance with the hardened criminals, and that the result is very bad. Do you find here that there is any attempt made on the part of hardened criminals to form acquaintance with the younger prisoners, with the object of communicating criminal habits to them? A. No. If the hardened criminal talks at all he talks about some foolish thing, just as he would outside. I came into the gaol on one occasion and found an old convict in conversation with two boys who were not more than ten, twelve or thirteen years of age. I knew this convict, and asked him what he was talking to the boys about, whether he was inculcating into them the ways of crime? This man was very indignant at the suggestion, and he said "What do you take me for, do you suppose I would attempt to corrupt these boys." As a matter of fact, I found that he had been amusing the boys, and giving them good advice.

Q You have no gaol yard? A. None whatever, but I think we ought to have a yard surrounded by a wall.

Q. What would be the difference in the cost of a gaol constructed on this system, and one built upon the old system? A. If you want to keep the prisoners in separate confinement, and to do it in such a manner that they shall have light and air, and give the cells twice the size of the ordinary cells, it would double the cost of the building. $175,000 was the cost of this gaol. What is known as the Maetzel system of locking and unlocking of the cell doors on the automatic principle, is one of the new features introduced in this gaol.

The Commissioners next visited the Ohio penitentiary. Warden F. Dyer gave evidence, and Dr. Byers was present during his examination.

Hon. Mr. Drury.

Q. How many prisoners are serving sentence here? A. We had 1,598 prisoners last night.

Q. How many cells have you? A. We have 1,635 cells.

Q. How long have you been Warden of the penitentiary? A. Since the 1st of May, this year.

Q. Had you any previous experience of prison management? A. I was Warden of this establishment a good many years ago, but there was a change of government, and that invariably brings a change of officials here.

Q. We understand that there is a combination of systems here, that is, the indeterminate system of sentence, and also the definite system are both in operation. Would you kindly explain to the Commission the leading features of your establishment? A. The system is to reform the prisoners. That is the idea of the law, if it is possible. Now, you take a man sent here for a definite length of time, and he serves ten months and ten days to entitle him to be discharged and act free.

Q. Is there any term fixed? A. Under certain conditions a man might be discharged, as I have said, in ten months and ten days, instead of serving out the complete year. This is regulated by law, which gives the maximum and minimum terms of imprisonment for such offence as a prisoner may be committed for.

Hon. Mr. Anglin.

Q. Can you discharge a man who has been here a shorter period than that of the minimum sentence for his crime? A. Yes. If a man is sentenced for the minimum of one year, he can be discharged in ten months and ten days. This law applies to one class, but take the twenty year man, he serves thirteen and a half years and he is liberated, if his behaviour has been good. Once a man serves one full year he gains eighty-four days each year, that is, seven days each month.

Hon. Mr. Drury.

Q. What does a record of good conduct mean? What does it consist of? A. It simply means, if there are no reports against a man. Ninety per cent. of the men here are not so much trouble as they would be outside.

Q. What constitutes the man's record? A. We grade all the prisoners. All the prisoners who come here are placed in the second grade. If they commit any infraction of the rules we reduce them to the third grade. If their conduct is good we elevate them to the first grade in the same way. Each man makes his record by his own conduct.

Q. What constitutes good prison conduct? A. If a man does his work and obeys the rules he does all that is required. A man of this kind gets all the benefit of the institution.

Q. Are these the only two points? A. Yes. We have a night school, and his conduct in the school, and attainments, also count for him.

Hon. Mr. Anglin.

Q. With regard to the school, is the principle of good marks judged by the efforts a man makes, or by his literary attainments? A. We judge by his efforts. Then if he commits an infraction of the rules we charge it up to him.

Q You don't, however, measure that man by his actual attainments in any branch, but by his actual conduct? A. Yes. If a man commits an infraction of the rules we take so much time off what he has earned.

Q Will you tell us how these marks are regulated? A. The plan is something similar to Elmira. Here are the rules and the law on the matter. The rule regulating this reads: "All prisoners hereafter received shall be immediately cleansed, clothed, described in the register, and medically examined. The prisoner is then questioned by the clerk upon his biographical record, to ascertain, as near as may be, the causes of the crime of which he has been convicted, and the best probable plan of treatment. Following this examination, the prisoner is carefully instructed in his liabilities, rights and privileges under the law, and prison regulations and the mark system, and conditions of promotion, degradation and release are fully explained to him. The prisoner is then, by the warden, assigned to his appropriate grade, the second, and to suitable industry. Degradation to the third grade may be for any of these reasons: First, such deliberate and continued violation of the rules and regulations as the warden shall deem sufficient cause for such degradation; second, such acts of disobedience, quarreling, destruction of property and misconduct generally, as in the judgment of the warden, are incompatible with the good order of the prison: third, any unnecessary or wanton destruction of or injury to any property, or lack of care in the preservation of same; fourth, the violation of any rules and regulations of prison discipline, which, in the opinion of the warden, materially affects the then present condition of the prisoner, or that of the grade to which he belongs. Promotion to the first grade is by earning nine marks for six months in or nearly in succession. The general good conduct of the prisoner, while serving his minimum sentence, as shown by his credit reports, shall be given due weight to by the warden in assigning prisoners to the first grade. A record of every such proceeding, giving the reasons therefor, shall be submitted to the managers at the next meeting, subsequent thereto by the warden. The marks are earned monthly, three for demeanor, three for labor, three for school or normal progress. Those prisoners who have been sentenced to the penitentiary under a general sentence thereto, and have been promoted to the first grade and have served therein six months and have a clear record, if there is confidence in them on the part of the warden, and suitable employment is secured for them, may go out on parole if so ordered by the managers, and six months of good conduct on parole may secure from the managers an absolute release. Parole can only be given to prisoners of the first grade who have been sentenced to the penitentiary under a general sentence, and promotion to this grade can only be attained by prisoners of the third grade, by having served faithfully, and passed successfully through the second grade. All prisoners now in the penitentiary who have undergone the minimum sentence for their crime, if the records of the prison show that they have been exemplary, worthy and deserving throughout the six months past, may, if in the opinion of the Board of Managers it is expedient and safe, be placed in the first grade, and be entitled to all the privileges and rights thereto belonging, excepting parole. The warden shall cause all prisoners of the second grade to be clothed in a suit of grey, those of the first grade in blue, and those reduced to the third grade to be clothed in the present striped suit, and this grade shall, as now, march in the lock step. Three months of good conduct in labor and demeanor may restore the prisoners to the second grade if the warden so decide."

The section of the Act dealing with this matter passed in April, 1884, is as follows

"The board of managers shall, subject to the approval of the Governor, make such rules and regulations for the government of the prisoners as shall best promote their reformation, and generally as may from time to time appear to be necessary or promotive of the purposes of this Act. They shall make provision for the separation or the classification of prisoners: their division into different grades with promotion or degradation according to merit: their employment and instruction in industry their education, and for the conditional or absolute release of prisoners, sentenced to imprisonment under section five of this Act, and their arrest and return to custody within the institution, but in no case shall any prisoner be released either conditionally or

absolutely, unless there is in the opinion of the manager reason to believe that he will, if released, live and remain at liberty without violating the law, and that his release is not incompatible with the welfare of society, and no petition or other form of application for the release of any prisoner shall be entertained by the managers. In order that good behaviour may be properly rewarded the board shall provide in its rules and regulations, for a correct daily record of the conduct of each prisoner, and his fidelity and diligence in the performance of his work A convict who shall pass the entire period of his imprisonment without a violation of the rules and discipline, except such as the board shall excuse, shall upon his absolute release and discharge be restored to the rights and privileges forfeited by his conviction, and he shall receive from the Governor a certificate, under the great seal of the State, as evidence of such restoration, to be issued on presentation to the Governor of a certificate of such conduct, which shall be furnished to such convict by the warden. A convict who is thus entitled to a restoration of the rights and priveleges forfeited by his conviction, who has conducted himself in an exemplary manner for a continuous period of not less than twelve consecutive months succeeding his absolute release or discharge, and presents to the Governor a certificate of that fact signed by ten or more good and well-known citizens of the place, where he has resided during such period, certified to be such by the probate judge of the county wherein they reside, and whose signatures are certified by such judge to be genuine, shall be entitled, in consideration thereof, to a restoration of the rights and privileges forfeited by his conviction, which restoration shall be evidenced by a certificate of the Governor under the great seal of the State. Each convict who is sentenced for a definite term other than for life, shall be entitled to diminish the period of his sentence under the following rules and regulations :

"1 (*a*) For each month, commencing on the first day of his arrival at the penitentiary, during which he has not been guilty of a violation of discipline or of any of the rules of the prison, and has labored with diligence and fidelity, he shall be allowed a deduction of five days from the period of his sentence. (*b*) After he has passed one full year of his sentence in which he has not been guilty of a violation of discipline or any of the rules of the prison, and has labored with diligence and fidelity, the reduction shall be seven days from the period of his sentence for each month. (*c*) After he has passed two full years of his sentence as above provided, the deduction from his term shall be nine days for each month. (*d*) After he has passed three full years of his sentence as above provided, the reduction of his term shall be ten days from each month.

"2. For a violation of the rules or discipline, or for a want of fidelity and care in the performance of work, he shall not only forfeit all time gained for the month in which the delinquency occurs, but according to the aggregate nature or the frequency of his offences, the board may deduct a portion or all of his time previously gained, but the board may review the conduct record of a convict and if it appears that any violation of the rules and discipline was committed through ignorance, or circumstances beyond his control, or abuse of any officer, may restore him to the standing he possessed before such violation.

"3. If a convict be prevented from laboring by sickness or other infirmity not intentionally produced by himself, or by any other cause for which he is not responsible, he shall be entitled by good conduct to the same deduction from his sentence each month as above provided for, and the board may in its discretion, allow him a sum of money sufficient to defray all his necessary expenses to the county where he was convicted."

Hon. Mr. Anglin.

Q. Who makes the law and the rules? A. The legislature makes the law and the Managers make the rules.

Hon. Mr. Drury.

Q. What we want to find out principally with regard to this institution is the working of the two systems of sentence, the determinate and the indeterminate. Of the 1,598 prisoners you have here what proportion are sentenced on the indeterminate plan? A. Less than two per cent.

Q. Is it discretionary with the court to sentence under the definite system or the indefinite? A. It is, but the definite is nearly invariably adopted.

Q. Do you discover any jealousy on the part of those committed on the definite towards those committed on the indefinite system? A. I cannot say I have observed anything of that kind.

Mr. JURY.

Q. They can all earn a shortening of their sentences? A. Yes.

Q. A man coming here under indeterminate sentence can only earn in one year just what any other one year man can earn? A. There really is no difference. The man under indeterminate sentence may be kept in for an indefinite time longer than one year but it is hardly ever done.

Hon. Mr. ANGLIN.

Q. A large proportion of your sentences are for one year, are they not? A. I would not be surprised if thirty per cent. of our prisoners were one year men. We take none for less than one year.

Q. Are all your men employed? A. Yes.

Q. What are your industries? A. We have a good many different industries. Making agricultural instruments, plumbing, carpentering, tinsmithing, stove manufacturing boot-making, stamping, hollow-ware, all kinds of saddlery, hardware, etc., painting and broom-making.

Hon. Mr. DRURY.

Q. Upon what system is your labor conducted? A. We are under the piece price system, but we have the contract system lapping over. We intend to adopt the piece price system throughout in time. I think it is the piece price system we will finally adopt.

Q. What is the difference between the contract system and piece price system? A. Under the contract system the contractor has to pay so much a day for each man, and each man is required to do a reasonable day's work. On the piece price system the contractor pays so much for the manufactured article, the product of each man's labor, but it must be up to a certain standard. Under this system if a man makes twenty-five pieces and the work is not acceptable to the contractor, the State loses the entire labor of the man. We have what is called a piece price superintendent, and this man with the contractor examines the work. If they disagree they call in the warden or some other man and he decides and his decision is final. It is almost impossible to adjust all cases satisfactorily, there are so many things to be taken into consideration. Sometimes on account of a piece of material being of an inferior quality the trouble would arise. There is so much complexity that it is difficult to come to a reasonable conclusion, and the defective work is all thrown back on the authorities.

Q. So far as the revenue producing aspect of the case is concerned, is the contract system better for the State? A. Yes, and in my opinion better for the prisoner.

Q. How is it viewed by those who employ prison labor? A. They prefer the piece price system, because they only pay for what they get and for what is up to the highest standard in point of workmanship.

Q. The object as I understand it is to fix the price that is considered fair and reasonable for the labor, so that free labor will not have ground for complaining that you are producing work cheaper than it can be produced outside? A. Yes.

Dr. Byers here interjected that this feature of the case had not been regarded by the State board. The piece price plan, he said, was adopted so that the prison authorities

should have the complete control of the labor of the prisoner and not be at the mercy of the contractor. It was intended to break up a system of abuse of prisoners by the contractors, but the real ground of the change was that the labor organizations demanded it and the politicians gave it to them without any consideration. The worst thing for free labor, so far as prison labor was concerned, was abolition of the contract system. Under it free labor had less competition than under any other plan.

Mr. JURY.

Q. Why do you think there is more injury done to the laboring class outside under the piece price system than under the contract system? A. Because the products cost the contractor more under the contract than they do under the piece price plan, so that he cannot go into the market and sell his manufacture at so low a price.

Hon. Mr. DRURY.

Q. You don't think that it works more fairly than the old principle, Mr. Dyer? A. No, but you cannot get outside organizations to listen to it; they are blind, purblind, and these politicians don't want them to hear you, because they have got a rope round their necks. We suffer from it and the laboring man does not see that he is being hoodwinked.

Q Are they any better satisfied with the piece price than they were with the old system? A. Not a bit.

Dr. BYERS.—What they want us to do is to have no work at all. To keep these men in idleness, and then free labor would have to support them.

Q. What is the proportion of the prisoners employed on each system and their earnings? Mr. Dyer.—A. Last year there were 539 employed on the piece price plan. The total number of days they worked was 167,794½. The amount they earned was $101,212 63. Under the contract system during the same year there were employed at contract labor 435 men who worked 135,406½ days, and earned $88,811.30; and the daily average paid for this labor on the piece-price plan was $60.31, and under the contract system $65.58.

Q. What number of hours do your prisoners work each day? A. We aim to work ten hours a day.

Hon. Mr. ANGLIN.

Q. We have been told at several institutions that under the contract system it is almost impossible to maintain strict discipline, and that the superintendents employed by the contractors interfered so much with the discipline that it was thought desirable to put an end to the system? A. The contractor is under the same rules as any other officer of the institution, and is subject to my orders. If he disobeys my orders the penalty would be expulsion from the institution.

Hon. Mr. DRURY.

Q. Can the contractor or any one under his authority bring pressure to bear upon the men with a view to exacting more labor out of them than the stint agreed upon? A. Not if the discipline is as it ought to be. We put an officer over the men, who is there for the purpose of carrying out the orders of the warden, and we see that they conform to the contract and that the men do what they are told to do. I fix the amount of work and no one has the power to make any change without my authority.

Hon. Mr. ANGLIN.

Q We have been told that there often is a secret understanding between the contractor and the prisoners? A. I do not know what other people do, but I don't allow a contractor to give a man a plug of tobacco or anything else. Were any of the contractors to do so I would pick him out.

Dr. Byers.—I may say that I shall be glad if our new warden succeeds in establishing this order and discipline in the prison. I can assure him, however, that it has never been done before, and I fancy he will find himself mistaken in his ideas. My experience is that these contractors, when they find that a man can do his stint within a limited time, pay him extra for doing additional work. The prisoner and the contractor, in fact, make a sub-contract between themselves.

Hon. Mr. Drury.

Q. That is what we have heard. A. Mr. Dyer.—As far as our works are concerned I don't allow any man to do this.

Dr. Byers.—If you don't stop overwork you can't do anything to prevent this abuse of the system. There are some skilled mechanics who can do their day's work by noon, who can do more by that time than the majority of men can do in a whole day. You go into the chain shop; you will find one man who can make 2,800 links in a day, but eight out of every ten cannot make more than 1,500. I wanted to see what was a reasonable day's work, and I found if a man did 1,400 and did them well, that was a day's work.

Hon. Mr. Drury.

Q. You are supposed to judge between the contractor and the men, Mr. Dyer? A. Yes, I am here to protect the men. The contractor does not so control the work as to make it worth his while to have an understanding between himself and the prisoners. There was one contractor who came in here that brought in a plug of tobacco for a man. Upon hearing of this I stopped it. I made the man's allowance of tobacco a little larger, so that if he wanted it he could have a little more without going to the contractor for it.

Q. Are all your trades taught by a competent instructor? A. Yes.

Q. And in the majority of cases, are your men likely to go into the ordinary shops with other men and take their places when the period of their sentence has expired? A. Some of them do very well, but that is not the general thing They don't learn trades here in the proper sense of the term. They simply learn particular branches of work. One man does one part, another does another. In making a box for example, the process is not complete until it has passed through the hands of several men. That is the way that most of the work is carried on.

Q. How near self-supporting is your prison? A. Well, to say nothing about the appropriation for building that we have got, as that should not be counted in, after the current expenses are defrayed the report shews that there was a balance of $13,000 over and above the expenditure last year.

Mr. Jury.

Q. Your surplus would pay the interest on the capital. Dr. Eyer's: The capital invested here is the labor of these men. All the large buildings that you see—our storehouses and the workshops that you observe around here—are the outcome of the labor system. The labor of the prisoners has put up this establishment.

Q. The prominent idea you say is reformation. Do you know from the results of your work that you have really succeeded in making it reformatory? A. I do not know.

Q. Have you many recommittals? A. Yes, a good many.

Q. Can you give us the percentage of the men here to-day for the first, second and third time? A. No sir, I cannot. You see so many of the prisoners come from other parts, and they won't tell the truth, and you can't compel them to do so; so that we have no reliable figures for this.

Q. If we were to take your statistics with reference to recommittals, they probably would not be a safe guide? A. No.

Q. Are you a believer in the possibility of the reformation of confirmed adult prisoners? A. No, sir, I have no faith in it.

Q. Have you tried to put into operation the parole system in this institution? A. Yes. We have had it several years, but it seems to me that the way it is managed it is pretty much of a failure. The law is all right if it were not abused, but the board of managers don't read it as I do.

Q. Can all prisoners be paroled? A. No. We cannot parole a man who is here for the third, or the second term. The law says "That the said board of managers shall have power to establish rules and regulations under which any prisoner who is now, or hereafter, may be imprisoned under a sentence other than for murder in the first and second degrees, who may have served the minimum term provided by law for the crime for which he was convicted, and who has not previously been convicted of a felony and served a term in a penal institution, may be allowed to go on parole outside of the buildings and enclosures, but to remain while on parole in the legal custody and under the control of the board, and subject at any time to be taken back within the enclosure of said institution; and full power to enforce such rules and regulations and to retake and reimprison any convict so upon parole, is hereby conferred upon the said board, whose written order, certified by its secretary, shall be a sufficient warrant for all officers named therein to authorize such officers to return to actual custody any conditionally released or paroled prisoner; and it is hereby made the duty of all officers to execute the said order the same as ordinary criminal process. 2. Every person who, after having been twice convicted, sentenced and imprisoned, in some penal institution for felony, whether committed heretofore or hereafter, and whether committed in this state or elsewhere within the limits of the United States of America, shall be convicted, sentenced and imprisoned, in the Ohio penitentiary for felony hereafter committed, shall be deemed and taken to be an habitual criminal, and on the expiration of the term for which he shall be so sentenced, he shall not be discharged from imprisonment in the penitentiary, but shall be detained therein for and during his natural life, unless pardoned by the governor; and the liability to be so detained shall be and constitute a part of every sentence to imprisonment in the penitentiary; provided, however, that after the expiration of the term for which he was so sentenced, he may in the discretion of the board of managers be allowed to go upon parole outside of the buildings and enclosures, but to remain while on parole in the legal custody and under the control of the said board; and subject at any time to be taken back within the enclosure of said institution, and power is hereby conferred upon said board to establish rules and regulations under which such habitual criminals who are prisoners may go out upon parole, and full power to enforce such rules and regulations and to retake and reimprison any such convict so going out on parole is hereby conferred on said board, whose written order, certified by its secretary, shall be sufficient warrant to authorize any police officer to return to actual custody any such conditionally released or paroled prisoner, and it is hereby made the duty of all chiefs of police and marshals of cities and villages, and the sheriffs of counties and of all police officers and constables to execute any such order in like manner as ordinary criminal process, and for the performance of such duty, the officer performing the same shall be paid by said Manager for such services, such reasonable compensation as is provided by law for similar services in other like cases." These are the rules for paroling prisoners drawn up by the board of managers. "Resolved that in the matter of paroling prisoners under section 1 of the Act passed by the General Assembly of the State of Ohio, May 4th, 1885, the board of managers shall be governed by the following rules and regulations:—First, no prisoner shall be paroled who has not been in the first grade continuously for a period of at least four months; second, no prisoner shall be released on parole until satisfactory evidence is furnished the board of managers in writing that employment has been secured for such prisoner from some responsible person, certified to be such by the auditor of the county where such person resides; third, no person shall be paroled until the managers are satisfied that he will conform to the rules and regulations of his parole; fourth, every paroled prisoner shall be liable to be retaken and again confined within enclosure of said

institution for any reason that shall be satisfactory to the board of managers, and at their sole discretion, and shall remain therein until released by law. It shall require the affirmative vote of at least four of the managers to grant a parole." Then follows the form of parole, which has to be signed by the president and secretary of the board of managers. This parole law has been applied here for the first time to a general convict prison, although it has been in operation at the principal reformatories on this continent. It has been in operation here now five years. The original intent of this law unquestionably was good, and I have no doubt that if it had been wisely administered it would have been a most useful measure ; but the operation of the law is this : The Board of Managers come here and they really have a judicial process in connection with each case. The case is tried over again. The law does not provide for anything of the kind ; in fact, that is an infraction of the law. In their last report, the Board of State Charities drew attention to this. They pointed it out in these words : "The law expressly provides that no petition or other form of application for the release of any prisoner shall be entertained by the Board of Managers. The main object of the law was to promote good conduct in the prisoners by the assurance of liberation as soon as they could give satisfactory evidence of permanent reformation. In the nature of things this evidence should be based upon their prison record. Outside pressure should have no influence with the prison management, and every prisoner should understand that a parole can only come through personal merit, that outside influences cannot help him or harm him in the slightest, and that a prisoner without a friend on earth should understand and feel that he has just as fair a chance for parole as the son of a king. This is the intent of the law and the letter of the law, and yet as we understand, outside petitions and applications for parole are allowed, and in fact, are expected in all cases. That such petitions and applications have influenced the board of managers to improper action we do not charge, but it is a practice liable to serious abuses and misapprehension, and worst of all, it is clearly in violation of the law, which ought not to be tolerated, and least of all in a prison where men punished as law-breakers are entitled to an example of the strictest observance of law. Doubtless it is entirely proper for the board of managers to make enquiries as to the past history and environment of a prisoner and to ascertain from prosecuting attorneys and others any facts they may deem essential to a correct conclusion as to the character of the man and his probable surroundings if discharged ; but such enquiries should be instituted by the prison managers and not by the prisoner or his attorney. The law as a whole in its practical working has not developed any special need of amendment, except perhaps as to the time at which a prisoner should become eligible for parole, which as now fixed seems to have a measure of unfairness to short time prisoners. At present a prisoner must serve at least one year before he can be eligible to parole ; but in addition to this we think he ought to serve at least one-fourth of the time for which he has been sentenced.',

Q. What are the facts that ought to be taken into consideration by the Board of Managers in deciding the cases? A. The good behaviour of the man who is to be paroled ; not merely his conduct record but his character as well. The worst criminals in the prison are often the best behaved men ; they give less trouble than many others.

Hon. Mr. ANGLIN.

Q. Do you think that the warden can read the character of these men in spite of themselves? A. Here under the parole law, the warden has scarcely a hearing. I have recommended only one prisoner for parole since I have been here.

Hon. Mr. DRURY.

Q. Your Board of Managers permit the lawyers to argue the whole case before them? A. They do. The attorneys bring with them the whole case, and the board tries it over again. They are virtually retrying the men ; it is amusing to see them. As a general thing our managers are not lawyers ; they don't understand the rules of the court, but they make it appear that a man ought to get out. Dr. Byers : This is only one feature of the case. These lawyers who appear before the board make a plea that a man has been improperly tried ; they make another plea that he was unduly sentenced ; then they

make another plea that there are favorable circumstances in connection with the case which the court did not take into consideration.

Mr. Jury.

Q. Has not this been already argued before the Supreme Court? A. Yes, and it is argued again here.

Q. Then this is a Supreme Court? A. It is a court of final appeal.

Q. How many have been paroled during your time, Mr. Dyer? A. Thirty.

Q. And out of that number you have recommended one? A. That is all.

Q. How many have been paroled since the Act came into force? A. About 560.

Dr. Byers.—After all, our experience generally leads us to the belief that the prison discipline can be improved and a large reformatory result achieved by the system.

Hon. Mr. Drury.

Q. And yet you are not satisfied with the working of it? A. Why, certainly not, because it is not properly administered. There has never been sufficient discrimination exercised in the administration of criminal laws in this State. Some judges are unnecessarily severe, and others are far too lenient; and the parole law properly administered would equalize things very much.

Q. Now, as a matter of fact, does your experience as warden, Mr. Dyer, lead you to believe that some of your best behaved prisoners are your worst criminals? A. Yes, as a general thing that is so.

Q. In deciding these cases when they come up for consideration, is there a danger of liberating a man who is thoroughly bad, but who has made a good record in your prison? A. Undoubtedly there is.

Q. And that man will be as great a menace to the peace of society as he was before? A. Yes. One of the worst murders that has ever been committed in this land was committed last Saturday by a paroled prisoner. He committed one of the most atrocious murders in Cincinnati that ever a man was guilty of.

Q. What in your opinion is the effect of the indeterminate sentence system upon people outside. Would the expectation that his sentence may be materially shortened be likely to induce a man who contemplated the commission of a crime to run the risk, that he would not run if he thought he would be sentenced for the full term? A. I would not be surprised if it did to some extent. Criminals look at all these things very seriously and take into consideration every possible chance. I have always objected to giving families relief from the earnings of prisoners, because I believe it is one of the best deterrents and preventives of crime to make a man dread that his misdeeds will affect his family. A man will come here, will run the risk of punishment for his crime, if he knows his family will receive a portion of his earnings while he is in prison.

Q. You have that system here? A. Yes.

Q. What proportion of the earnings go to the prisoner? A. It rests with the Board of Managers, who are authorized to place to the credit of all the prisoners, except those serving life sentence, such proportion of their earnings as may seem equitable and just, having regard to the character of the prisoner, the nature of the crime of which he is convicted, and his general conduct; but the amount must not exceed twenty per cent of his total earnings. The fund accruing to the credit of the prisoner is to be paid to him or his family, but twenty five per cent of it must be kept to be paid him at the time of his release. I think that prisoners in contemplating the commission of crime calculate on the chance that this gives them.

Hon. Mr. ANGLIN.

Q. What provision is made for religious instruction in the penitentiary? A. We have a chaplain here, and we have services commencing at 8.30 in the morning. We have prayer meetings, Sunday schools, and regular services, and we also have readings.

Q. Have you a Roman Catholic service? A. We have celebration of mass. We do the same with the Roman Catholics as we do with the others.

Q. Is the Catholic priest paid for his services? A. No. We have a Protestant chaplain here, who is librarian and chaplain.

Q. Are prisoners bound to attend religious service on Sunday? A. Yes, we make every man go.

Q. Do you compel Catholics to attend Protestant services? A. No, I don't. The by-laws provide that the prisoners must go to service or be locked up. We don't compel them to go, but if they don't go they are compelled to stay in their cells.

Dr. BYERS (examination resumed) said:

There are a few things in regard to the parole law that I think you gentlemen should understand. The officers of our prisons are inexperienced. Perhaps it is hardly fair to state that after you have had an opportunity of seeing and hearing them, but really they don't stay in office long enough to acquire the knowledge and experience necessary for the proper discharge of their very responsible duties. That as you know, is one of the evils of our political system. The system was designed to secure good conduct on the part of the prisoner, and to make this the basis of his liberation on parole. Instead of this these attorneys bring in pleadings and petitions, and everything else, and make them elements in procuring the prisoner's release, but the one thing required by the law, the good conduct of the prisoner, is left out of consideration. Notwithstanding all this, however, very few mistakes have been made.

Q. The board is supposed to act upon the advice of the warden, and the prisoner's record? A. Yes. And the warden tells you to-day that he offered his advice in one instance only. He is disgusted, as they all have been, at the manner in which the parole law is interpreted by the Board of Managers. I will just give you the figures to shew how the system has operated. The total number of prisoners paroled has been 535; discharged at the expiration of sentences fifty-six per cent, or 289; still on parole twenty-eight per cent, or 148; returned for violation eight per cent, or 40; delinquent in reporting eight per cent, or 46; voluntary return, refused to accept parole, two. We have another law in our criminal system of jurisprudence which is perhaps more clearly drawn still, and that is what we call the Habitual Criminal Law, under which as you heard this morning, a man convicted over three times can be sent to prison for life. The former conviction has to be stated in the indictment before the judge trying the case; when this is done he can be sent to prison for life. He cannot work himself out; he cannot do anything, but the Governor may pardon him. We could never get the Board of Managers to appreciate the real spirit of the parole law; I have called attention to it over and over again, but to no purpose. Our State Board have spoken of it time after time, and talked it over.

Q. From your experience would you be in favor of the indefinite sentence law as well as the parole, providing that they were administered as they ought to be? A. By all means. I do not see how we could have a reformatory of this kind on the ordinary system. A man goes to prison and he understands that his liberation depends on his own efforts. It encourages the very best endeavors on the part of the man. You can raise a man's motives as well as his action. I don't believe that the prison wardens are likely to be deceived to any great extent when they become accustomed to judging the character of the men. We had a deputy warden here for thirty years. He would read men as I would read a book. I am confident he made fewer mistakes in judging the moral character of the men than nine-tenths of the doctors would make in diagnosing

their physical condition. That is the experience I have of such men dealing with such cases. He was a thorough believer in the old system, and it was hard work to get him out of it. He always said, "I don't make the rules I execute them: if the managers of the prison don't want them to be acted upon, all right they can do as they like."

Q. Do you believe in the lash as a punishment for any class of crime? A. Not for any We find we get along better without it. If a man is a man the degradation of the lash upon him is so terrible that it destroys all sense of manhood.

Mr. Jury.

Q. We only apply it to men who ravish children, and I suppose a person guilty of that you would hardly call a man? A. No, that is pretty bad; but I do not know how far this punishment is effectual in preventing these crimes.

Q. In England at one time garotting was very prevalent, and Sir George Gray' introduced flogging as a punishment for that offence. There is no garotting in England now, the crime is unknown? A. It was more the fact that the police supervision was improved, than that flogging was introduced, that put an end to this crime.

Hon. Mr. Drury.

Q. In the month of November last year, a large convention of prison reformers held in the City of Toronto, formulated a number of proposals on prison management. The first is, "That County gaols should be maintained only as places of detention for persons charged with offences and awaiting trial, and should not be used by prisoners after trial and conviction." What are your views upon that? A. There is nothing clearer as all experience would indicate than that the real character of the gaol is a house of detention and nothing more.

Hon. Mr. Anglin.

Q. With regard to very short-date sentences, of ten or fifteen days, or five days, could not the gaols be used without impropriety for these? A. No, sir. It only tends to engender amongst these men idle and vicious habits.

Q. Where would you take them? A. To the workhouse. Every group of counties should establish at convenient points workhouses for these people.

Hon. Mr. Drury.

Q. What do you think of this, "County gaols should be constructed on the separate or cellular system"? A. I am very strongly of opinion that the cellular system should be carried out as far as possible in the gaols.

Q. Then the third recommendation reads, "Persons convicted of crime should not be detained in county gaols, but should be dealt with according to the age and natural proclivity of the criminal"? A. Persons ought not to be kept in gaol after conviction, but immediately sent to the institution best adapted for them.

Q. The next one is as follows:—"A boy under 14 years of age not previously vicious should be restored to his parents, upon their giving a guarantee of his future good conduct: failing this he should be sent to an industrial school"? A. The percentage of boys such as that described, who have parents to take care of them, is comparatively small. There is a large percentage of the boys who are arrested and convicted of misdemeanors and petty crimes, who are without homes, or families, or friends, and you have no place to send them. I like the Massachusetts probation system. I think it is a good plan to adopt, and I would recommend it. I remember a man who was hanged within the last few years here, a noted criminal he was: his name was Blinkey Morgan In conversation with him one day he said, "I am glad to see that you are introducing the suspended sentence in cases of first offences, I hope you will push that. I have been a very bad man. I have acquired notoriety for crime, yet I have not been insensible to my own conduct. If as a boy a chance had been given to me after I was convicted of my

first offence my life would have been entirely different. The suspended sentence is the best thing you could have. Give a person a chance."

Q. Would you apply this to all prisoners of all ages who are first offenders? A. No, sir, only to boys. I think it is better that all the others should go to the reformatory.

Q. What are your views upon this recommendation: "A boy under 16 years of age having a natural tendency towards crime, or being convicted of a second offence, should be sent either to a reformatory direct or to an industrial school on trial according to circumstances, and a special court should be organized to deal with these cases, as well as with females charged with light offences. A boy should never be brought to open police court nor be sent to a county gaol"? A. I agree with this.

Q. Do you advocate the special court referred to in the latter part of the question? A. I think anything that will avoid the necessity of bringing a boy before a police court is good, but I think instead of having a private investigation altogether, I would say to the rabble, "You have no business here, let the tipstaff clear the court." I think that a public trial has a hardening effect upon boys always. You put the boy on his pluck, you put him on his courage. He may feel it ever so much, but he has an idea that he must not give way in the presence of a rabble like this. The fact is, that many people being present at the trial of the boy, he is not given a fair chance, not so fair as if he were having a quiet trial. I saw a case of a boy in St. Louis when I was down there. It interested me and I followed the little fellow through the different courts. He was without shoes and stockings, and his feet were cramped like the hide of a rhinoceros. There he was when I saw him first talking with thirty or forty prisoners waiting his turn. Finally Thomas James was called and to this child a policeman said "Get out and stand over there." The clerk said in a hard, heartless tone of voice "Thomas James," just as a man having lived on a diet of nutmeg grater or something of that kind. Then the police judge said to the boy in a cold matter-of-fact way "What is your name." The little boy trembled in the presence of the voice of authority and said "Tommy James" in a weak faltering voice. "Where do you live?" "Anywhere." "Where are your parents?" "Both dead." "Have you got no home?" "No." "You have got no home, and you are charged with stealing fifty-five cents." "It was only forty-five." For this paltry offence this boy went to three courts. When he was tried in the Court of Pleas, the proceedings there were somewhat the same as in the police court, save that the judge spoke to the boy in the kindest possible tone after looking at him a moment. The little fellow adhered to his statement that it was only forty five cents, and he broke down after telling his piteous story. The judge's voice changed the whole character of this proceeding. You cannot counteract the influence of a coarse, rough, inhumane judge. This judge asked if there was any person present who could say anything on behalf of the child. I said, "I have been three mornings following this boy and he has told the same story all through. It is a case of misfortune rather than crime." The judge said, "I regret very much that the boy has been subjected to all this. I shall not take action now; I shall hold him until I can see what can be done with him." This was on the Saturday. On the Tuesday I called and found that he had got a home for the boy in Missouri. This case illustrates the working of the law upon this point.

Hon. Mr. Anglin.

Q. You have in this State children's homes. Do you think that they provide effectively for the children? A. Yes, they keep them out of the poorhouses and the almshouses and away from corrupting influences. The real object that we had in view in organizing these county homes was to keep the children out of the poorhouses. If the courts find that there is no criminal charge against a little boy they send him to the county home; and the object is to keep him in the county home until we secure a home for him elsewhere. We passed a law to employ an agent for the purpose of seeing that these children got homes. That law came into force last year and we think it will be of great assistance to us in placing out the children.

Q. What are your views as regards this recommendation: "Industrial schools and reformatories should not be considered as places for punishment, but should be utilized wholly for the reformation of character. The young persons sent to these institutions should not be committed for any definite period, but they should be detained until reformation is attained, irrespective of the time required. The officers of these institutions should be carefully selected, preferably by a system of examination and promotion, and without reference to party or social influence?" A. I give my adhesion to that; there is nothing clearer, and especially in regard to girls, this ought to be emphasized. The idea of taking a girl to a state reformatory and educating her up to eighteen and then sending her out whether she has got a place to go to or not is terrible to think of.

Q. Do you think that the State should undertake this part of the work itself? A. Yes. If we had a good proper agency established we could take at least fifty per cent. of these right away.

Q. You make provision for finding a boy or girl some place where he or she is likely to find a good home? A. Yes, sir.

Hon. Mr. ANGLIN.

Q. We found in Massachusetts, even amongst those who are managing institutions, a very strong feeling that children should not be kept in institutions longer than is absolutely necessary, and that they regard even poor homes as preferable to institutions? A. Institution life is just as unnatural to the child as street life; but you have to keep a child in an institution for a time to eradicate possibly the evil influences it has imbibed. We have to overcome this difficulty. It is wrong to keep children too long. The sooner you get a child into a family the better. As regards others though, the child who has been brought up under better influences, let her go out to-morrow to a home if you can find a place for her. Don't let her taste institution life at all.

Hon. Mr. DRURY

Q. What do you think of this recommendation, "As industrial employment is a necessary step towards reformation, and this cannot be supplied by the county gaols, the necessity arises for prisons and reformatories of ample dimensions where such employment can be provided, and where other influences of a reformatory character may be utilized, and where a system of classification may be carried on?" A. You cannot expect the reformation of prisoners without industrial employment.

Q. Another recommendation reads: "Tramps and habitual drunkards should be sent to an institution where they can be provided with productive industrial employment and where they can be brought under reformatory influences, and they should be detained in said institution under indeterminate sentences. Incorrigibles should be sentenced to penitentiaries for life; they should be considered as having forfeited all right to regain their liberty unless reformation takes place." A. The only objection to the last proposition is the definition of what constitutes incorrigibles. There is such a variety of opinion in regard to this that it is very hard to determine when you can properly place a man in that category, unless you take the actual crimes that he has committed. If it is necessary at all to send a man to the workhouse for any period let the managers of the workhouse say when it is safe to send him out. It is unnecessary to have an inebriate asylum.

Q. Are you a believer in hard labor as a reformatory agent? A. Oh, yes.

Q. Therefore the detention of prisoners in county gaols where hard labor cannot be secured is wrong, and therefore some other institution should be established? A. Yes. A man should not be sent to the county gaol because no employment can be provided for him there.

Q. What do you think of this eleventh recommendation: "The question of prison labor should be removed from the arena of party politics, and members of labor organiza-

tions should look at this question from a patriotic rather than from a trades standpoint?" A. There is no question about it; I think this question is very interesting indeed. I have always viewed it with a great deal of interest. We have had to fight it here as best we could. The labor organizations were all right until the politicians began to see that they were political elements that they could control, and they have been utilizing these organizations ever since. There is no reason why the laboring classes should not organize. We cannot get the ear of the labor organizations. I have tried over and over again by writing and speaking to induce them to take the matter up; for instance, the contract system of labor in prisons I object to, because the contractor interferes with the discipline of the prison. But when you come down to the contract system it is the best for outside labor that can be adopted; there is no question about it. The contractor under this system has to pay more for his work. He cannot get the same for his money that he does under the piece-price system.

Q. What do you think of the state account plan? A. It would not work here, but it might in Canada; but if you establish this system for a state governed under the political conditions that we are under here, with scheming and interested politicians controlling the appointments, there would be nothing more corrupt than these institutions managed on the state account system. It would open the door to fraud of every kind.

Q. Were you to find a man like Capt. Nicholson for instance? A. But there are very few Nicholsons. And take Nicholson away from his institution; perhaps within twelve months you would find abuses of the grossest character. Those institutions you saw at Detroit and Cleveland owe their success to Nicholson and Patterson.

Q. Don't you think that Mr. Massie could manage an institution on this principle? A. There is no question about it, there is no better man than Mr. Massie.

Q. I see that when a man is paroled here, someone must go bail for him? A. The only bond that we require is that he shall have employment guaranteed him before he leaves the reformatory, and care is taken that he gets employment.

Mr. Jury.

Q. You said you have tried to get the ear of the labor organizations; have you ever invited them to any of your Congresses? A. Yes, we have had the president here. We had a very strong appeal made to them. I happened to be in the chair, and we listened to him with a great deal of interest, but he was unfortunate in saying that labor men have never had any sympathy with charity organizations. I wound him up by saying that the laboring men of this country never had need of them. They think themselves independent of them.

Q. Don't you think that those who manage these institutions which are called charitable waste their sympathy on the criminal class to the neglect of the honest and industrious, who are struggling to live lives of respectability and honesty, but who are never thought of by the so-called philanthropists? A. What sympathy does this class need?

Q. They don't need sympathy, but they ought not to be thrown out of employment through the instrumentality of these persons who are posing as the friends of the criminal. The direct result of the action these people take is to enable criminals to enter into competition with honest men when they come out of gaol? A. The entire competition in this country of prison labor with free labor means one-half of one per cent.

Q. But if it only meant one-twentieth of one per cent. you entirely dislocate the labor arrangements of the country? A. These men have to be supported at the public expense. Their labor must come into competition with some interests, even if they were outside the prison altogether.

Mr. Jury.

Let them make enough of certain things that are required for the state institutions, but let means be taken to prevent as much as possible their competition in the legitimate channels of outside labor.

Hon. Mr. ANGLIN.

Q. We are instructed to enquire into and report on the chief causes of crime; what in your opinion are those chief causes? A. I would put in the order of the causes of crime first, homelessness. There is no misfortune like this. It is better to be deaf or dumb or anything than to have no home. A child never knows what earth has in possession for him now, nor what heaven may be hereafter if he has no home. A home is the best thing a human being can have. I would put next ignorance, and next—though we have been accustomed to use the word idleness, there is a better word to express my idea; idleness may be a misfortune, it may be a crime. A man may prefer to be idle.—Inoccupation, that is, the condition of those who have never had anybody who would employ them, never had anybody who would instruct them or give them work at all, and who have simply drifted into crime because nobody would give them work. That is one of the causes of crime. Then comes drunkenness; not to the extent that the W. C. T. U. would ascribe to it; but I do make out a strong case against drunkenness. The fact is, that nine-tenths of the men committed for crime come up to the prison and say that it was drunkenness that caused them to go wrong. It is a cheap appeal to sympathy, and a cheap setting aside of personal responsibility; there is more of this talk, a great deal, than there is about the reality of drunkenness. Drunkenness is not so crime-producing as we generally suppose. Then there is another cause of crime that is not sufficiently considered, and that is immigration. An emigrant comes here, and he is a stranger to our laws and customs; away from his home, away from his friends, and the social influences that surrounded his life in a former land. He gets home-sick and discouraged. He is not employed and he begins to realize that he has made a mistake. There is a weakening of his mind in a moral sense, and under these dispiriting conditions of mind he goes into crime; there is a great deal of that. Bishop Ireland of Minnesota brought this fact out and said there was no question about this being an element that contributes very largely to crime.

The CHAIRMAN. (Who had just returned from Cirleville, whither he and Dr. Rosenbrugh had gone to inspect the county gaol).

Q. Do you think that any great importance should be attached to the idea of the heredity of crime? A. Yes, a good deal. If you could only get people to know where to attach it. As a matter of fact there is an influence of this kind that ought to be considered. I have no doubt that there are degenerating influences that produce crime by deadening the moral senses, and these can be transmitted. I have known instances where it was so palpable that you could not dispute the fact.

Q. I suppose that it is a fact that if a bad temper say can be transmitted, some moral quality or defect may be? A. Yes; we have a very prominent man, a notorious man in this state whose father was an epileptic. He was sent to prison for life for murder. He caught his wife's paramour and shot him in her room, and he was shut up for murder in the second degree. The circumstances were such as to warrant this view being taken. The wife was a bad woman, and the fact that this man was weak itself must of course have had a hereditary influence upon the child. After his father was sent to the penitentiary this boy was picked up and sent to the reform school. His intellect was clear, bright and sharp as you ever knew in your life. He served out his time and when he got out of the reformatory he went to work as a journalist. He was clever and unscrupulous; he got ahead and went to Europe, and when he came back he was prominent in political affairs in this state and became a member of the legislature. That fellow has no more moral sense than you could find in an empty hat. He has not the least idea of gratitude or moral obligation to anybody, or anything, and it is only a question of time when he will have to be killed or will kill somebody. He has already been shot at, and has made targets of other people. I attribute these traits of this man's character to his heredity—to his father being an epileptic and his mother a bad woman.

Toronto, October 29th, 1890.

Present:—J. W. Langmuir, Esq., Chairman; Hon. Chas. Drury, Hon. T. W. Anglin A. F. Jury, Esq.

John Miller, Gaoler for the County of Grey, Owen Sound, sworn.

The Chairman.

Q. When were you appointed gaoler? A. On the 1st November, 1862. My father was the first gaoler in the county.

Q. What do you think is the effect of herding different classes of prisoners together? A. I think the result is very bad indeed, and I suppose the worst result of the want of gaol classification is in placing prostitutes and respectable girls who may be committed for some little offence together.

Q. Do you think it would improve matters to carry out the cellular system if you had the means? A. I do not think it would be right to put a man waiting trial under such punishment as that. I certainly think it is punishment to keep a man locked up in a cell by himself without the opportunity of intercourse with the others at all.

Q. Since the establishment of the Central Prison, have the more hardened class of prisoners been removed from you? A. Oh, yes, more especially those who are able-bodied, capable of working.

Q. Has this assisted you in improving your classification of prisoners? A. It has to some extent. We don't have nearly so many of those prisoners in gaol now as we had formerly.

Q. Have you any more left on your hands than you require for keeping the gaol and grounds in order? A. Frequently we do not have sufficient for that purpose.

Q. The establishment then of another prison for prisoners under sentence for thirty days would be of little service to you? A. Very little, indeed.

Q. What were the chief offences for which the nineteen boys were committed to your gaol last year? A. Petty larceny would be the chief. I think they were all in for the first time with the exception of one. They were principally from the town of Owen Sound and from the villages of Meaford and Durham, and some from other parts of the county.

Q Do you think this was a proper or wise way of dealing with those lads? A. I do not think it was. If there were to be any punishment at all, I think twenty-four hours in gaol would be far better than three months. I think two were waiting trial. As a general thing they were sentenced to the common gaol for periods varying from two to four months. Some were sent to the reformatory for long terms. I think many of them should have been let go on their own recognizances or those of their parents or guardians who have been entrusted with the care of them. In a number of cases I feel sure this would have had a very beneficial effect, and the young criminals would have been saved the humiliation of going to gaol. I find that when boys are kept in gaol for some time they get hardened. If a boy went before a magistrate for the first time for a trivial offence he should be discharged with a caution.

Q. Have you noticed the effect of the treatment of the Penetanguishene reformatory upon boys sent to it from your gaol? A. I have noticed during my time that quite a number have been sent there and none have come back for punishment again with the exception of one case where a boy came back for having been drunk when he had grown up. I know several who are apparently making an honest living.

Q. Are they following the trades that they acquired in the reformatory? A. No, I think not.

Q. What is your experience as regards the Central Prison? A. I never came across but one who wanted to give his preference to the Central Prison treatment to that of the penitentiary. I think it has a very deterrent effect upon some criminals, but a good many come back again. The men who are in and out of gaol, and who intend to make their living by preying upon the country.

Q. As a general thing, do they prefer a penitentiary sentence to Central Prison custody? Q. Yes, they prefer three years in the penitentiary to twenty-three months in the Central Prison. They say that they don't like the work and the discipline at the Central Prison.

Q. Do you think that the Central Prison has a reforming influence? A. It has if the sentences are not too severe. I have noticed, as regards prisoners generally, that those who have got too severe sentences have thought they have been hardly dealt with; that their punishment was greater than their offence merited, and this has had the effect of driving them into crime again. They have made up their minds—have become determined to have satisfaction in some way. On the other hand, I have found prisoners who have escaped with mild sentences who have said, "You won't catch me here again after I get out of this scrape, I did not expect to get away so easy, but, having been so fortunate, I will take very good care not to get into similar trouble again."

Q. Do you think the gaol is a proper place for these old, indigent persons? A. They could not get a worse place. I think over fifty per cent. of them would have been proper subjects for a poor house.

Q. How many insane persons had you in gaol at one time? A. Speaking from memory I think we had five at one time. The longest period for which any of them were allowed to remain was about six months. Some of them were mildly insane and others again were considered violent. One of them I think was a proper subject for a poorhouse. He was committed as insane but died in the gaol.

Q. I see that the number of prisoners committed to your gaol last year for the first time was 105; for the second time, 44; for the third time, 21; and for over the third time 22—does this mean for the third time this year? A. No, it is the third time in gaol extending over all the years of previous convictions. Of the 200 commitments, 175 would I think represent the number of persons passing through the gaol. Of the 27 persons committed for drunkenness and disorderly conduct, some were first offenders and some old habitual drunkards.

Q. Does the imprisonment of drunken men in a common gaol do them much good? A. Not a great deal. The habitual drunkard gets on the spree again just as soon as he has been thoroughly sobered up.

Q. What effect would it have if they were sent to the Central Prison for two years. A. I think it would keep the men sober for that length of time, but they would go on the spree again when their term of imprisonment was over. It seems to be their nature, they are always craving for drink. Of those committed for the first time a great many never come back again.

Q. What do you consider to be the chief cause of crime? A. I cannot answer that question. I think bad training at home—the want of proper training of the young, and drunkenness.

Dr. Rosebrugh.

Q. Have you had the Scott Act in your county while you have been gaoler? A. We had either the Scott Act or the Dunkin Act, I do not know which. It was in operation over a year I think.

Q. Did you observe that it had any effect in diminishing drunkenness and crime? A. There was a much less number committed for being drunk and disorderly than during the years previous to its coming into operation. I recollect making a report to the Legislature here with reference to that.

Q. I understand from your evidence that your classification is exceedingly defective? A. It is in regard to females; there is practically none at all.

Q. Would you consider it a hardship that a person waiting trial should be kept by himself or herself? A. Not if the conditions were such as to justify them being so kept. I do not think that it would be right to keep a man months waiting trial in separate confinement under any circumstances.

CHARLES HENRY MOORE, Sheriff of the County of Grey, sworn:—

The CHAIRMAN.

Q. When were you appointed sheriff? A. In 1879. I had been deputy sheriff sixteen years.

Q. What do you believe to be the chief causes of crime? A. Well, I should put them briefly—intemperance, idleness and ignorance. By idleness I mean idleness in youths; lack of education.

Q. Have the twenty-seven committed to your gaol for drunkenness last year been drunkards from youth upwards, or did they in a number of cases become addicted to the habit after they came to manhood? A. I have some knowledge of them, and I know that a great many of them have been intemperate for a long number of years.

Q. When you say that drunkenness is a cause of crime, what do you mean? A. I mean that it will lead men to crime. There are cases of men who gravitate from one thing to another.

Q. Why do you think idleness is a cause of crime? A. I think if every man were trained to habits of industry; if every boy were sent to school, and steps were taken to see that he actually went to school, and parents saw that their children did not get into evil company, all this would have a good effect and would in my opinion diminish crime in the community. We have laws with reference to attendance at school, but they are not strictly enforced. Notwithstanding the excellent system of education that we have in Ontario, there are families in Owen Sound who never send their children to school. If attendance at school were really made compulsory, one of the chief causes of crime would be removed.

Q. Do you think that the careless neglect of children on the part of parents is one of the causes of crime? A. I have no doubt of it. I know parents who neglect their children and I think it has a very disastrous effect upon the children—very disastrous indeed. I think a society should be established to look after the protection of such children and to look after their welfare and care for them. I would have no hesitation in taking away a child from the custody of parents who neglect their duty.

Q. Have you any religious exercises in your gaol? A. We have to some extent; representatives of the Y.M.C.A. visit the gaol. I do not think that the prisoners value the services as highly as they ought to do. I do not think they amount to much.

Q. Have you a library in connection with the gaol? A. Yes. I do not think that it is much used.

Q. Have you formed any opinion as to whether gaol custody is the best treatment for drunkards? A. What I have noticed in regard to habitual drunkards is this; that they are not looked after until they have contracted habits that become incurable. The difficulty is that in Owen Sound parties are allowed to drink to excess for a long period before they are taken into custody at all. If they were taken in hand while yet they had sufficient moral force, or moral strength, to reclaim themselves, a great many of

them in my opinion could be saved; but those who are taken into gaol when they get loose again are allowed to dissipate another long period, and thus they go from bad to worse. Some respectable people are committed for this vice, I can bring one to mind now, a very intelligent man indeed. It would be difficult to say what his trouble is, his conversation would throw no light upon it; he is a clever man, but he seems to have no moral power to resist drink.

Q. Supposing a ward were set apart for the treatment of inebriates in the Central Prison to which these drunkards would be committed and kept at work and properly cared for, do you think that would be an improvement upon the present state of things? A. I certainly do.

Q. And if a man were committed to the common gaols three times and that had no beneficial effect upon him, do you think that it would be time to try this other method of treatment? A. I think so; it would be well worth trying at any rate.

Q. We would like to know what you think of the commitment of lads to gaol between the ages of eight and sixteen years? A. I don't believe in it. I think it has a very injurious effect upon the boys. Boys guilty of first offences of a light character I would let go upon suspended sentence. I think care should be taken that these boys do not repeat the offence again. If they came back still for trivial offences they should be looked after by some other authority.

Q. Have you a lock-up in your town? A. Yes.

Q. Are there separate cells there for men and women? A. I have never observed any. I think there is a wall between the male and the female section, but I believe they can go into the same corridor and they can converse together.

Q. Respecting the classification of the prisoners in the gaol: if you had a poorhouse do you think you would have sufficient room for classification of the remaining prisoners? A. I think so, and I think the erection of the poorhouse should be made compulsory. I would recommend that in preference to an alteration of the structure of the gaol.

Q. I notice that you have quite a number of vagrants; are many of these poor homeless persons who ought to go to a poorhouse instead of going to gaol? A. Yes, and their presence in the gaol interferes with the discipline.

ALEX. SUTHERLAND, Gaoler, Orangeville, sworn.

The CHAIRMAN.

Q. When were you appointed gaoler for the County of Dufferin? A. In 1881.

Q. Were those classed in your returns as vagrants really criminals under the Act? A. No; they were of the poor class without homes, old, some blind and infirm. We had six sent from a poorhouse and they were sent back and have been there ever since.

Q. You are strongly of opinion that if you had a poorhouse you would be able to get all the classification that you want? A. I think so. We would be able to classify them fairly well but we could not keep all the prisoners separate.

Q. Your gaol seems to be more of the nature of a poorhouse than anything else? A. Yes.

Q. Of your 40 old vagrants, were there many of the really criminal vagrant class? A. No, there might be one or two of those; nearly all are subjects for the poorhouse, and at the end of their sentence we are instructed to get their papers prepared so that they

can be re-committed. Some never go out; some have been in for nine years. The period of commitment lapses and we get the papers renewed. Some of them are absolutely unable to go out. Two "dummies" are not safe to be out at all.

Q. How old are they? A. From 28 to 30.

Q. Was it ever proposed to send them to the Deaf and Dumb Asylum? A. I think they had been there and were sent away. They got a little training there.

Q. How many women have you had? A. They were all old women except one, and she was insane and her parents took her out.

Dr. ROSEBRUGH.

Q. I see that last year you had 46 re-commitments, whereas the year before you had 20; can you give any reason for that? A. I cannot give any reason.

The CHAIRMAN.

Q. I see some were committed three times and some five; this does not mean that these men were committed three times or five times last year? A. No.

Q. These statistics in respect to re-commitments are absolutely worthless; they do not give the returns properly so that one can understand what they really mean? A. We have a great many sent in for vagrancy and these are drunk when they come in, but instead of sending them in for drunkenness, they are kept as vagrants.

THOS. BOWLES, Sheriff for the County of Dufferin, sworn.

The CHAIRMAN.

Q. When were you appointed Sheriff for Dufferin? A. In 1891, at the initiation of the county officers there.

Q. You have no poorhouse in Dufferin? A. No.

Q. Do you look upon the gaol as being a proper place for the poor? A. Well, our people act upon that principle anyway. I think it is a shame for many of those people to be sent to the gaol. They are sent there just because they are old and decrepit, unable to do anything for themselves, and the people will contribute nothing to their support. They will go down town, get a magistrate to write out a committal and take them to gaol.

Q. Does the county give any aid to the poor outside? A. I believe that all the poor persons who are unable to support themselves are sent to the gaol.

Q. What in your opinion is the chief cause of crime? A. I think want of industry will apply to most of the criminals. I think idleness has more to do with it than anything else: People grow up in idle habits and drift into crime. I think laziness leads to drunkenness and other vices, and the step downward to crime is very easy.

Q. There are a great many idle men who don't become criminals? A. All people who are criminals are not in gaol; and again, there are people who are not criminals who are in gaol.

Q. How many criminals had you last year? A. Very few.

Q. What was the nature of their offences? A. We had one man who set fire to the Agricultural Building; we had one committed for assault with intent; some for larcenies and crimes of that character. A great many of these petty larcenies occurred through men getting intoxicated and doing things that they would not do if they were sober.

Q. Then you think that intemperance has a good deal to do with crime as well as idleness? A. Yes. Intemperance, idleness, neglect on the part of the parents, and such things, have as much to do with the making of criminals as anything I know. I think if children are properly trained until they reach the age of 12 or 15 years, they won't go very far wrong afterwards.

ANDREW JACKSON, Gaoler, Lindsay, sworn.

The CHAIRMAN.

Q. When were you appointed gaoler for the County of Victoria? A. In 1866, 24 years ago, before that time I was turnkey for three years.

Q. What are your views as to the chief causes of crime? A. The chief cause of crime is improper training. I think drunkenness is the chief cause of crime against the person, assaults, and things of that kind, that is, from our county standpoint at any rate.

Q. What are the chief causes of felonies of the higher order? A. Laziness, unwillingness to work, ruffianage or something of that kind—an innate desire to do evil, and nothing else but evil—that is as regards the professional burglar and people of his stamp, we cannot do anything with this class.

Q. What about intemperance. Do you think the professional criminal is an intemperate man generally? A. Very rarely; he requires all his wits about him. I think that properly defined you may put down intemperance as the chief cause of crime against the person.

Q. What are the chief causes of youths becoming criminals between the ages of 12 and 16? A. Children being improperly trained, allowed to grow up criminals; and those even who are properly trained steal oranges and things of that kind, and are taken up for larceny. The 7 boys and the girl sent to our gaol last year were committed for stealing little things such as I have just mentioned.

Q. Do you think it is the proper course to send them to gaol? A. No, I don't. I think a birching would be the best thing for them. I know as regards the girl who is about 16 that a good man came alone and took her, and she is doing splendid, she is a capital girl. I think that the plan of suspended sentences with proper supervision and keeping a watch over boys and girls would be a good thing for those brought up for first offences. And if the father and mother had the means of looking after them, and were anxious and made an effort to look after them, that it would be wise to send the children back to them; that it would be preferable to committing them to gaol, and if the parents were not fit to have custody of them, to place them in a good home where they would have proper surroundings, and be trained in the way that they ought to be.

Q. What are your views regarding the reformatory at Penetanguishene? A. Oh, it is splendid now; there is no more trouble about it at all; twenty years ago it was bad.

Q. What is the effect of Central Prison treatment upon those you send to it? A. The Central Prison is a terror to the prisoners who are sent there.

Q. Are you very much troubled with those classed as tramps? A. Not so much now. My system has cured them. I have seen the tramps glad to go out in the time of storm. It is a perfect farce to keep these men in the prison idle; but I don't like to see the poor habitual drunkard in gaol, because he is a man who has lost his willpower, and he ought to be treated as a sick man in a hospital—kindly. But to the habitual drunkard who beats his wife and children, I would give a birching.

Q. We have heard a great deal about the Government taking over the gaols of the Province; what are your views upon that subject? A. My views are to keep the gaols as they are now. I do not think that the Government could make them any better. If we had a poorhouse, proper discipline, and everything carried on in the proper way under the present system, and the gaols kept for what they were intended for, there would be no need of any change.

ALEX. LANG, Gaoler, Barrie, sworn.

The CHAIRMAN.

Q. When were you appointed gaoler? A. In November, 1852—38 years ago. I suppose I am the oldest gaoler in the Province, and I am one of the oldest men. I was born in 1810, and I came to Little York in 1818.

Q. Do you find that indiscriminate association has a bad effect upon the adult prisoners? A. I have never found it so. We do get a few extraordinary prisoners occasionally, but the majority of our prisoners are in through drink and when they are sober they are pretty well-conducted men. Every man that we have in gaol now is intemperate, and we took in fifteen from the first of the month. They are first-rate teetotallers when they are in gaol, and they behave themselves well when they are obliged to do so.

Q. Have you ever in your long experience found adults instructing youths in crime? A. No; but we have found boys worse with one another than adults.

Hon. Mr. DRURY.

Q Would not the influence of a confirmed criminal be bad over the boys who might be in for petty larcenies? A. We have a man named Dunlop who has been twice sent to the Penitentiary, and who has been sent to the Central Prison, and now we have got him in for a criminal act, and he comes in and says that if it were not for drink he would never have been there. I do not think he would advise a boy to do what was bad. I think he would give a boy good advice.

Q. He forged an order for a set of harness which he sold for $10? A. Yes, but in my opinion it was all through drink.

The CHAIRMAN.

Q. What offences were the nineteen boys sent to your gaol last year charged with? A. A good many of them were for petty thefts; some for stealing rides on cars. They were for juvenile offences generally. I think they were all in for the first time.

Q. What effect had gaol confinement upon them? A. They think that they will behave themselves when they get out, but they mix with the worse class of boys again, and this brings them into mischief. If the influences outside the gaol were as good as those inside they would behave themselves all right. There would be less drinking, and drunken habits, less pollution of the moral atmosphere, and there would be no necessity for enlarging the gaols. A boy who is committed to gaol for the first time, will be sorry and cry over it, then he becomes accustomed to it, and a good many of them don't care anything about it afterwards. I would rather not send them to gaol, because once you send a boy to gaol it gives him a bad name and it sticks to him.

Q. But if a boy has committed a criminal act what would you do with him? A. I would put him on a farm I think, in some quiet place away from city life, where he can be taught to work, for a term of years. You see where you have got these boys, they are generally the children of unruly parents and that is where the mischief comes in. You find these bad habits sometimes inculcated by the parents. If they were taken away from them and put to work in the proper way it would be a better thing for them.

Hon. Mr. Drury.

Q. Take the case of a boy charged with trivial offences, and where you knew the surroundings were good, how would you treat him then? A. I would treat him as a girl of nine or ten, who put some obstruction on the railway never thinking that she was endangering the lives of human beings. I went to the judge and magistrate and got her off with a suspended sentence. It was a mere matter of diversion on her part.

The Chairman.

Q. Do you think places could be got for them in proper families? A. Simcoe could absorb a large number of these children, if the people would only take them, but I am doubtful about that, because people don't care about taking children from bad families.

Q. Do you think there is such a thing as hereditary taint in crime? A. I do. I have seen several children in the course of my life who have followed the courses of their parents. I recollect now the case of a boy who would reel and stagger, and he retained this habit after he grew up. This defect or characteristic was due to hereditary influences, and I saw a girl reel and stagger like a drunken woman; both were the children of drunken parents. Of the 19 boys who came to our gaol last year, some had parents who were pretty well-conducted people; some I did not know; but the misfortune about boys is that you sometimes find a remarkably good boy getting into difficulty, when oftentimes if left to himself he would not do so.

Q. You think that some kind of institution with proper employment for these boys would be better than committing them to the common gaol? A. Oh, yes. If you could get a proper class of people to manage these institutions; those who would take an interest in the children.

Q. What is your experience of the boys sent to the Penetenguishene reformatory? A. I do not know much about that. It is in our county, but I have never been in it.

Q. Have you had any boys come back to gaol after they have been to the reformatory? A. I have had none lately sent back.

Q. How do they conduct themselves when they return from the Reformatory? A. Pretty fair I think. Some follow the trade they learned at the reformatory. I know one man who came back from the reformatory who is rich now, away in the States.

Q. Do you know whether the influence of the Reformatory is good? A. I think there are parties there who are much better than they were before. But I am decidedly in favor of having some other institution for first offenders.

Q. Were the forty six vagrants committed last year criminal vagrants, or poor destitute people? A. Most of them are that kind of people brought to poverty through drunkenness; we call most of them tramps. Amongst those we have two honest people who are destitute and have no homes. One is an old man over seventy, that is old Billy Brown who is subject to fits. If we had a poor house not half, not more than a quarter of the forty six would go to it. Of the twenty lunatics committed last year, some were of the harmless quiet kind who could be cared for in a poor house.

Q. I see that you sent twelve prisoners to the Central Prison last year. Did that help to relieve you? A. Yes. They were those committed for the longer sentences and for most serious offences.

Q. Are you one of those who believe it would be a good thing to place the county gaols under the control of the Government entirely? A. Yes, I have felt that to be the case for years. We are better now than we were for some years before, but I think that on the whole it would equalize matters a great deal more if the Government were to take charge of the gaols themselves. There would be more permanency. our county councils are changing year by year, new men come in with new

ideas and they have no experience of gaol management; the officers themselves would have more confidence and would be able to act more independently if they were under the Government. Of course many of the members of the council are reasonably good men, but they are perfectly ignorant of conducting gaols, and each one fancies that he knows as much as the next man, and they are all apt to look to the matter of expense as much as anything and they object to doing many things on that account. If the Government had all the gaols in their own hands they would manage them much better. This would be an incentive to officers to do their best to qualify themselves for the higher positions.

Q. Do you find much difficulty in getting your repairs attended to? A. No, for the last few years we have got along nicely.

Hon. Mr. Drury.

Q. Has there been an improvement in the management of the gaol since the county council dispensed with the services of the engineer and appointed a gaol committee? A. Yes, that is within the last six or seven years.

The Chairman.

Q. Have you no lock-up in Barrie? A. No. We have been getting it for years, but it has not come yet.

Q. Do you find that the Central Prison has a deterrent effect on criminals? A. Yes, we have sent a number there. Some don't like it, but some speak very highly of the manner in which the Central Prison is conducted. One man says that all you have got to do is to behave yourself there, and you can get on all right. It is the lazy idlers who don't like it.

Q. Do you find that gaol custody or even Central Prison custody has a beneficial effect upon confirmed drunkards? A. It prevents them from drinking while they are in gaol. But when they come out, in the majority of cases, they go back to it again. They return to their old associations. Unless drink is removed altogether you cannot keep these people from it.

Q. Then I suppose you hold that drunkenness is a great cause of criminality? A. It is the cause of nine-tenths of the whole of our crime. If you look about our town you will find the difference on a market day between the state of things now and what existed during the three years of the Scott Act. I can tell you there is a great deal of drunkenness in the country. It is astonishing what a change took place twenty-four hours after the Scott Act went into operation. The night before there was a universal attempt to have a spree; men, women and boys were drinking and carousing until midnight; but the next day was a market day and the men all went home sober and their horses did'nt get licked, and it continued this way for the greater part of three years, all the time the Act was in force. We had very little drinking then. I should be glad to see the prohibition banner floating all over Canada to-day, and we should have had it too for it did splendid work during the time we had it, but unfortunately the brewers got into power and it came to an end. We spent thousands of dollars in defending the Scott Act.

Hon. Mr. Drury.

Q. Have you any figures to show the decrease in the gaol population in 1885, the first year of the Scott Act? A. I have not got the figures here, but I think there was a large reduction in the number of prisoners.

(Mr. Lang at a subsequent sitting produces the figures, which are embodied in the evidence taken on the 31st October.)

Q. After the Act was done away with did the number of prisoners increase again? A. Yes, they increased right away.

The Chairman.

Q. What would be your method of treatment for drunkards? A. I would stop the manufacture of liquor. My experience is that it causes all the crime throughout the country.

Hon. Mr. Drury.

Q. What does your gaol register shew to be the percentage of intemperate as compared with temperate? A. It is pretty large. I find that fifty-one were temperate and one hundred and sixty-eight intemperate.

Q. And I suppose some of the fifty-one who are down as temperate would take a glass? A. Oh, yes.

Q. Suppose a man committed three times for drunkenness, perhaps combined with disorderly conduct, is found upon enquiry to be really no benefit to his family; to be quarrelsome and at times even violent, would you say that putting that man in a separate ward in the Central Prison for two years would be a good thing? A. I don't like the idea of setting a trap for a man. What we ought to do is to get prohibition, and so long as we do not stop the manufacture of whiskey this evil will go on, but I think this plan of sending a man to gaol for thirty days is absurd; and then again I think there is an amount of cruelty in punishing a man severely for drunkenness. We make men drunkards, and then we would tax the county to establish inebriate asylums for them.

The Chairman

Q. Next to drunkenness, what do you think is the great cause of criminality? A. Drunkenness is the chief cause; that causes idleness. You may look at your own city of Toronto, beautiful city though it is; you see the boys there in the saloons. You find them at every street corner bearing the unmistakeable impress of drunkenness. They spring from drunken parents; they are developing into drunkards themselves. They never try to get any legitimate employment. There is where crime grows up. These boys become petty thieves, petty robbers, and their parents are drinking at home. That is the fruitful cause of the whole thing. If this were removed it would be a millennium I can assure you. I wish you could persuade the churches to take the matter up as they ought to. They would soon change things all around.

Q. Have you religious instruction in your gaol? A. We have prayer meetings every Sunday, and these seem to have a very good effect. Of those who take part in them some are Methodists, some Presbyterians, and some Salvation Army people. They have these meetings every Sunday.

Q. Are all the prisoners compelled to attend those meetings? A. No, if they are Roman Catholics I tell them they are not obliged to go.

Q. Have you a library? A. We once had a small library.

Q. The first time the Scott Act came into operation was May, 1885. You had 236 prisoners I notice in 1885, and in 1886 you had 405? A. There was a large number of public works going on then. We had those fellows on the railroad who had been made loafers previous to the Scott Act coming into operation, and now they have become loafers, criminals and tramps, and we got them into gaol because they were out of employment; but the Scott Act did not make them criminals; they were criminals before.

Q. It has been stated that while the Scott Act was in operation more whiskey was sold than before? A. Oh, no, that is not so: that was not our experience in the County of Simcoe.

Q. You stated that there was a large decrease in the number of prisoners, but that is not borne out by your statistics? A. Well, I have not got my statistics here: but, of course, I was speaking of those committed for drunkenness.

Hon. Mr. DRURY.

Q. I see from the inspector's reports that during the last year under the license system there were 348 persons committed, and of that number 271 are marked intemperate. In the first year under the Scott Act, that is 1886, there were 236 in the gaol and 138 are marked as intemperate? A. Yes, that would indicate that there was less drinking.

The CHAIRMAN.

Q. Do you find that religious instruction in gaol is of benefit to the prisoners? A. Oh, yes; our prisoners go out better men than when they came in. They get good impressions when in our gaol and they carry them out with them; but when they go out they get into a worse atmosphere. If they had sober people to mix with when they went out they would lead better lives.

Hon. Mr. DRURY.

Q. Have you ever in your experience had any conflict of authority between the inspector, the sheriff, and the county council as regards the management of your gaol? A. Latterly we have not had so much, but years ago we had a good deal of conflict between them. Latterly I must say we have been civilized, peaceable and friendly.

JOHN EDWARD PELL, Secretary of the St. George's Society and Associated Charities, Toronto, sworn.

The CHAIRMAN.

Q. How long have you occupied the position of secretary to these societies? A. For a good many years, and I was also connected with charitable work for about fifteen years in Montreal.

Q. You come a great deal in contact with needy people? A. I do, sir.

Q. Do you find that a large proportion of them are criminal as well as needy? A. My experience has been somewhat different to that. During the winter seasons for many years I was engaged in managing various kinds of work here in Toronto, work that was started for keeping people of this kind employed. I found, as a rule, that of the people who applied for assistance during the winter season, from one-half to two-thirds would be willing to work if they had an opportunity of getting it. According to my experience, extending to over 50 years in Canada, there are in winter seasons, owing to climatic influences, and so forth, a large section of the people thrown out of employment. Many of them are improvident, but some are really unable to provide for themselves. I question whether it is reasonable and right, that people who are simply in necessitous circumstances should have to go to the police magistrate and be sent to gaol for periods of from three to six months. We have in Toronto two poorhouses, both good institutions. They are maintained chiefly by means obtained through a grant from the city and a grant from the government, but they are managed as private institutions, and consequently the police magistrate has no authority to send anybody to these charities and as a matter of fact, never does so. One is the House of Industry and the other the House of Providence. I had some experience of public institutions. My father was the medical superintendent of an asylum in England, so I had a good deal of experience in early life of the working of public institutions and I object most strongly to people being sent indiscriminately to gaol simply because they are needy and unable to maintain themselves.

Q. Do you think that the police magistrate ought to have the authority to send needy persons to those institutions? A. I do. I think it is neither legal nor right to send such persons to gaol. The poorhouses ought to be of a public character and the magistrate ought to have power to commit to them.

Q. Do you find that by your having furnished these people with stone to break you saved a number of them from going to gaol? A. I am sure of it.

Q. Do you think that if labor was furnished to this class it would stop a great deal of criminality? A. I believe it would prevent many from falling into crime, because these people through being sent to gaol become contaminated to a certain extent.

Q. With respect to the system of public poorhouses, are you of the opinion that it has a tendency to pauperize or to lead to improvidence? A. I am not. At any rate, not if they are properly managed and conducted as they ought to be. If a man applied to the police magistrate for assistance and was sent to the poorhouse, he would be kept there, and people when they wanted men for labor would naturally go there to seek men. I would only admit those who were willing to work. If a man were a confirmed vagrant and refused to work I would prosecute him and have him committed to the Central Prison.

Q Do you think that poverty is one of the chief causes of the increase in our gaol population? A. I fear it is.

Q. What do you think of intemperance? We have just heard a witness state that intemperance causes nine-tenths of the crime in the country, if not the whole of it? A. I do not think that; I think idleness has something to do with it, but intemperance is undoubtedly a great cause of crime. In my father's establishment in England, ladies of the highest rank were committed for a few months and the commissioners would order them to be discharged. I would say (from the observation of the treatment given there) when they come up the first time give them a certain measure of confinement and increase it on each succeeding occasion by arithmetical progression.

Hon Mr. Drury.

Q. Under any system of poorhouses for the different counties of this province would there not be a large number seek shelter within these establishments who must work if no such provision was made for them? A. No, provided work was kept up at every institution. I think if they had a well regulated system of poorhouses, Toronto would be relieved of a large proportion of the class who come here in the winter months seeking shelter and employment and who leave again as the summer approaches.

Q. What has been the effect of that system in England? A. I think it works admirably. There has been a great decrease in the vagrant class; more especially in the vagrant class about London. They nearly all centre at one place. I visited a great many of these institutions seventeen or eighteen years ago for the purpose of posting myself upon matters of this kind. After all, it centres upon this one thing: If you find employment you will find that these people, or at any rate the better class of them, will act correctly and properly, but then you must treat them properly and kindly.

The Chairman.

Q Do you think that the want of work increases the gaol population? A. During the winter season it does. At present we have very few applications for relief owing to the openness of the winter.

Q. Do you think that those who are in want of work and are unable to find it are frequently led into crime? A. I know that they go to gaol simply on account of poverty. I have no doubt that through timely action in the way of finding employment a great deal of crime is prevented. Next Monday we will have a meeting at which fifty or sixty gentlemen will be present to express their views in reference to juvenile crime in Toronto. I could mention the case of a woman whose husband died here. She was a respectable industrious woman; she had seven children, but she left her children to run about the streets and those children in every instance have been brought before the police court and committed several times. The whole family have become criminals.

Hon. Mr. Drury.

Q. Is this poverty that exists in your midst the result of intemperance and wastefulness, or the result of circumstances over which the people have no control? A. Well, it is a mixture of both. In certain cases there are both intemperance and want of providence, and there are so many amusements in the summer season tempting people to expend money, that they don't lay by so much for the winter season. So far as the English people are concerned, I must say that they are generally willing to work, but they have difficulty in finding employment. Of course we endeavor as far as possible to look after them, and we have had quite a number of cases where help has been contributed.

Q. Do you think that this kind of pauperism is increasing more rapidly in Toronto than the population? A. No, I don't. In the House of Industry of course they relieve quite a considerable number. I made a calculation some time ago and I find that in the winter months relief is granted to about one in thirty-three. But at the present time I am satisfied, speaking now as regards last winter, that one in twenty or twenty-five of the population at the outside would include all who have been granted even temporary relief. But so much depends in Toronto upon the season. If the season is a severe one there is a great deal more distress.

The Chairman.

Q. Do you think that institution life has a bad effect upon these people. Would it be better to relieve them in the family relation? A. Oh, decidedly it is, where the people are old and infirm and destitute, and you could not give them employment.

Q. But has institution life a bad effect upon young men? A. I don't think it has so long as the young man is working for what he gets.

Dr. Rosebrugh.

Q. We are told by those connected with workhouses in the United States that it is not economical to establish these places unless they have at least 150 persons connected with the institution. Do you think that in view of that fact it would be better for the counties to be grouped together so as to have one workhouse or poorhouse for several counties? A. Certainly; that system is adopted even now in England; the workhouses are for the unions all over England. There are unions of counties and unions of parishes. I think that would be a very proper thing here. Unquestionably to build a poorhouse for a small population would be an unwise step, for the number of the inmates would not be sufficient to justify the expenditure, but if you group districts together you would at once overcome the difficulty; and as regards those who are not able to work, I may say that there are very few men who cannot do something in the way of raising their vegetables or a little garden. Here am I 80 years of age and I can go and work on land myself. I believe that if you have a piece of land in connection with those institutions you could employ nearly all the inmates upon it, and they would all be doing something for their maintenance.

Mr. Jury.

Q. You were speaking a little while ago about the improvident class. Don't you think that there are a large number of people who require assistance during the winter who are neither lazy nor drunken? A. I think so. There are many families who come out here from the Old Country who have not had opportunity during the first year or two to make provision for the winter; but the majority of cases where the parties apply for relief during the winter season, are those of persons who are improvident and idle, given to the use of intoxicating liquors—that is the majority apart from the aged and infirm.

Q. The ordinary laboring man earns a dollar or a dollar and a York-shilling a day; it is impossible for him to work more than 220 days in the year. Would you consider such a man improvident if he has not made provision for the whole year out of that very small wage? Would you refuse to help him if he came to you for work? A. Not if he

were an honest, industrious man, willing to do what he could for himself; but it is a difficult matter to deal with these people; the trouble is to decide who are improvident and who are not.

Q. You have had a great deal of experience in this matter in Toronto, and you know a good deal about those children belonging to the emigrant class brought out by Dr. Barnardo, Miss MacPherson, and Miss Rye? A. I have had a great deal to do with them from the inception of the movement. It is a well known fact that these children are brought from the lowest and poorest classes in England, and my amazement is that there are not more who turn out criminals. By scattering these children about the country these societies prevent farmers coming in and obtaining children from the city they otherwise would obtain. I believe that Dr. Barnardo has done a great work in England. I believe that from the efforts of these associations something has been done to decrease crime in England; but the system affects Canada in this way, as I know to my own certain knowledge; those who get these children, as soon as they begin to earn wages, dismiss them and obtain others to fill their places. I think the practice ought to be stopped.

The CHAIRMAN.

Q. Do you think that if these children were not brought out our own waifs would be absorbed in country life to a greater extent than they are now? A. No doubt of it.

Q. Have many of those children come back to you for assistance? A. Not very many; I have had some, but not nearly so many as I expected; but Miss Rye has said to me, "If you had seen the places I brought them from you would have been horrified." I am really astonished that so few of them go wrong.

Hon. Mr. ANGLIN.

Q. Have you any idea as to the proportion of the children who are brought out here that fall into evil ways? A. No, but I was amazed at the comparatively small number who turned out criminals.

Mr. JURY.

Q. What do you consider a comparatively small number? A. One or two, or at the outside three per cent. There is no doubt they are doing a very important work in England.

Dr. ROSEBRUGH.

Q. Do you know whether the inspection of these children is really efficient or not? A. I cannot say, but I am rather doubtful of it.

M. SMITH, Deputy Sheriff of Simcoe, sworn.

The CHAIRMAN.

Q. How long have you been deputy sheriff? A. Ever since I left school. My father was sheriff and I acted as deputy to him.

Q. What views have you formed as to the Government taking over the gaols? A. I think it would prevent a conflict such as Mr. Lang spoke of, where the county council would not carry out the requirements of the gaol or the recommendations of the inspector.

Q. Do you find in your gaol that you have great trouble in getting what you want from the county council? A. Not latterly. There is considerable delay yet.

Q. Have you formed any opinion as to the chief causes of crime? A. Yes; I agree a good deal with Sheriff Moore. I heard his evidence this morning. I should say it was drunkenness, idleness and poverty.

Q. Do you think that the establishment of a poorhouse would be a relief to the gaol population, and that it would enable you to make a better classification of your prisoners in the gaol, and also enable you to improve your general management? A. Yes.

Q. Have you had any opportunity of conversing with or of finding out the views of prisoners in regard to the Central Prison. A. Yes; they don't like to go there.

Q. Do you think that that institution has a good effect upon the criminal population of Ontario? A. Yes; I am firmly of that opinion.

JOHN GREEN, Governor Toronto Gaol, sworn.

The CHAIRMAN.

Q. When were you appointed governor of the Toronto gaol. A. In 1872; prior to that time I had charge of the county of Kent gaol for upwards of five years.

Q. If you had a separate cell of the right size for every prisoner received into your gaol, whether remanded, awaiting trial, or under sentence, do you think that that would accomplish a great deal in the reformation of prisoners? A. I certainly do. In the first place the prisoner is brought into gaol. No matter what the charge is he is put into a cell by himself, and while he is there he is beyond the influence of other prisoners. Only the officials and chaplain, or other properly authorized person can see him. The chaplain might go there and talk with him and advise him, and show him the mistake he has made, and at the end of his sentence he is, at any rate, made no worse than he was when he came in. But take the present system. A boy gets into trouble with four or five others. I might think these are all boys of suitable characters to go together, and yet there is no telling what mischievous influence they might exercise over each other. A boy came in yesterday; he was brought in in the afternoon by a county constable, apparently well provided and well cared for. He was under seventeen years of age. "Well, my boy," I said, "What is your trouble?" With tears in his eyes he replied, "I have been stealing." "What have you been stealing?' "$12." There were some prisoners there and I put them back. Then I went to the boy. "Whom did you steal the money from?" I asked. "From my master, my employer," he replied. "Where was he at the time?" "He had gone to church." "Where do you come from?' "I came from England." "What is your name?" "Patrick Kelly." "You had Irish parents?" "Yes, but my mother and father are both dead, and I have no friends in this country." "How long have you been here?" "Six months." "What have you been doing?" "Working on a farm." "What did you take the money for?" "I wanted to go home to the Old Country to my friends." He said they had worked him hard on this farm, and he wanted to get away. I told him that $12 would not take him to the Old Country, but he apparently was under the impression that it would have been sufficient. When that boy was brought in I put him with two others whe had never been there before. To-day he goes down to the court, is tried, pleads guilty and gets two months, but he is ruined by the contamination; there is no hope for him in my opinion. If he were kept by himself in a separate cell so that he could have no communication with his fellow-prisoners he might be saved.

Mr. JURY.

Q. Then sometimes you have not the means of keeping the prisoners separate? A. Not for two months.

Q. You don't say from actual experience that all these boys are ruined—that is your surmise? A. Yes. But I have good reason for thinking it. In fact, I may say it is more than a surmise, it is the truth. A boy comes into me apparently heart-broken.

He will commence a conversation with the others, and in two or three hours begin to look quite bright. The next day he is up to all the mischief you can imagine, just the same as all the others.

Q. But say that the boy has no inclination to become a thief, and is no thief, and not a bad boy at all, but has been led into crime by some accidental circumstance? A. But the chances are against him once he goes to gaol. I think he will learn so much in the gaol through the association with other prisoners that his experience will have an abiding effect upon him.

Q. Don't you think there are a great many boys who have seen the mistake they have made, and who have never repeated the mistake again? A. I have no doubt there are such cases.

Dr. Rosebrugh.

Q. You know that in the majority of cases boys never do well after they have been in gaol? A. I do. A great number come back again, and what becomes of the others I don't know, but judging from the boys' action and conduct, I think it would be pretty hard to keep them honest.

Q. Do you believe that, as some have said, the common gaols of Canada are schools of crime? A. The tendency is decidedly in that direction. They recount to each other how many thefts they have committed before they were caught, and pass their time away by relating their different experiences.

Q. Say that you had the means of keeping these prisoners hard at work all the time. I mean to say, hard work, keeping them employed from morning till night; do you think that would be one of the best things for them? A. I think so.

Mr. Jury.

Q. Have you not got labor in your gaol now at nearly all reasonable hours? A. I certainly have now.

Q. Then if this is beneficial, you have it now? A. Yes, but there are so many hours that they cannot be at work, so many hours that they can talk with each other.

Q. In your gaol don't you work men as much as is necessary for their reformation and their health? A. For their health certainly, for their reformation I cannot say; but there are many hours when they are associated together, and are not working.

Q. We saw three men working last Saturday painting a fence—could not those men talk as they liked while they are at work? A. I do not think so, because there was a guard there. They could not use any filthy remarks, use improper language, or enter into the discussion of subjects that would have a bad effect on each other. There would be no possibility of their doing much harm to each other under those circumstances.

Dr. Rosebrugh.

Q. And have you not authority to lock these men up immediately they come in from work? A. They have to go into the corridors and wash. They are locked up in the summer about half past five o'clock. They are up in the morning just as soon as there is sufficient light.

Mr. Jury.

Q. How many hours do they work? A. All the hours of daylight now.

Q. So there is really not much time for contamination other than may take place while they are at work? A. No.

Q. Do you allow them to talk from one corridor to another? A. No, but we cannot prevent their talking in an ordinary tone of voice in the corridors. We could prevent their talking, I suppose, if we had a sufficient number of guards to watch them.

The CHAIRMAN.

Q. What, in your opinion, is the remedy for this contamination of prisoners? A. Cellular confinement—complete isolation, the separation of each prisoner from all others. This cannot be done in the Toronto gaol.

Q. Could you reconstruct the gaol so that it could be done? A. No. It would cost more than to build a new one, and it would be better in my opinion, to build a new one than to reconstruct the present.

Q. If a gaol adapted to cellular confinement were built would you be able to accomplish a great deal more in the reformation of prisoners? A. Certainly, we would accomplish more than we could with the opportunities they now have of contaminating each other.

Q. You had last year 2,096 drunk and disorderly prisoners, and 250 vagrants. Those two classes were about sixty-five per cent. of your total population. Do you mean to say that those drunk and disorderly characters and vagrants would be benefited to the extent of reformation by separate confinement? A. I have thought a great deal upon the subject. I do not think that those hardened persons, who are constantly sent to gaol, would be benefited. I would not think of putting such men into these cells. I would have some regard to the man's record. Who is he? What are his habits? What is he inclined to do? Was he ever here before? are matters that I would always consider. With that great regiment of old offenders, contamination won't amount to much, but I would earnestly recommend separate confinement for all first offenders, in order that they shall not be contaminated.

Q. Then you would only have a portion of your gaol adapted for cellular confinment? A. Yes.

Q. Suppose you were asked to build a model gaol, upon what principle would you proceed? A. "I look upon the cellular system as the only perfect way in which prisoners can be kept in a gaol without contamination more or less. Any classification where a number of prisoners are associated together in corridors must be defective and undoubtedly this is the cause of many reconvictions. This applies to all classes of a gaol population. A cellular system to be perfect must be such as to prevent any prisoners holding communication with any other prisoners or even seeing them. I do not think it is possible to conduct a common gaol entirely upon the cellular system, as there may be special cases where the gaoler may see it absolutely necessary that two prisoners at least should be placed in the same cell, as in cases of illness or delirium tremens. In such cases a great deal of judgment and care should be exercised. To obviate this a sick ward or hospital, necessary in every large gaol, may be used, and this would be preferable. I do not think that convicted prisoners with long sentences should be sent to a common gaol; only short sentenced prisoners and those awaiting trial."

Q. Upon what plan would you construct your gaol? A. It is not for me to say how it is to be constructed, but I have half a dozen plans upon which such a gaol could be built.

Q. You are sure that allowing men to associate in idleness is far worse than to have them separated in cells? A. It is far worse for them. I agree with some of the resolutions of the Prisoners' Aid Society, that the common gaols should be used as houses of detention only. The sentenced prisoners should not be there. The system that they have here in Toronto of sending persons down week after week, and month after month, a system which has been going on for years, has been most unsatisfactory in its results. Out of the number of drunkards who were committed last year, there were 500 married men, supporters of families. They are men who, when Saturday night comes, get drunk and get into the hands of the police. The husband is brought up before the court, he is fined or sent down to gaol for a month. This might happen three times in the year, and as a result his poor wife must pay the fine for him, or she will be left without his

support for the month, and thus you punish this man's family. I think the system is altogether wrong.

Q. How would you deal with offenders who are continually in and out of gaol? A. I would give them five or ten days for the first offence, and if they came back a second time I would double it, and then if they proved to be habitual offenders I would deal with them on another principle.

Q. One-half of your prisoners last year were of the drunk and disorderly class, may these generally be described as habitual drunkards? A. I think that you might say seven per cent. of them are chronic drunkards, persons who would drink always if they could.

Q. What constitutes chronic drunkards? A. A man who will spend all his money in whiskey, who has no regard for himself or anyone connected with him.

Q. Now, how would you deal with that class? A. I would send them six months or twelve months to the Central Prison or some other institution where there would be rigid discipline and where they would be made to work hard. Some of them might be be reformed, but you could not hope to do anything with them in less than six months. I know that when Mr. McNab was police magistrate, he would say to this class of prisoners when they came up, "You will get six months if you come up here again." They would try to do better for a while, but I would notice them come up again by and by.

Q. After these chronics, what is the next class of drunkards? A. There are about 20 per cent. more, who are on the way to becoming chronic drunkards. That 20 per cent. I would send to gaol without the option of a fine if they came back The thirty days system, as regards them, is undoubtedly a failure. These are men who might get drunk twice or three times in a year.

Mr. Jury.

Q. Do you assume that because these men only come to you two or three times in a year they are not habitual drunkards? A. I think the police generally keep their eyes very closely upon that class.

The Chairman.

Q. Do you think it is a wise thing to send a man to gaol for drunkenness if he can find his way home in a quiet and peaceable manner? A. If a man is making the best of his way home, it is better to let him go. Young constables want to make themselves popular with their superiors. They want to get up all the cases they can.

Q. Is it right to punish a man for drunkenness if he has done no one an injury except himself? A. It is not wise. I have hear many people who have been sentenced for drunkenness say that they were making their way home and were nearly there when they were nabbed.

Hon. Mr. Anglin.

Q. I suppose that a large number of the men who drink when they get the chance are known to the police as drunkards and the moment the police see them the worse for liquor, they run them in? A. They do, there is a great deal in that. A notorious drunkard is arrested every time he is seen staggering.

The Chairman.

Q. Of the 50 per cent. of the gaol population committed for drunkenness, how many were supporters of families? A. I believe there were some 500 odd who were married men.

Q. That would mean that there would be 75 per cent. single, and many not supporters of families? A. Yes. I think there would be about ten per cent. of the gaol population who do not touch liquor for six, eight or twelve months, and they tell me

that they don't seem to have any desire for drink when they are away from it. Were they kept away from drink entirely—kept away from temptation, they would never feel the want of it, but once they take a glass they are gone.

Q. Would you approve of having a ward of the Central Prison set apart for the gaol drunkards as a sort of inebriate asylum, where he would be kept fully occupied? A. I would approve of it, I think it would have a good effect. If a man thoroughly understood that if he were to continue in the course of drunkenness which he had begun, he would subject himself to be committed for a lengthened period, it would have a very good effect upon him. If the magistrate could say "If you come before me again I will send you to prison for a year," and carried out his threat, they would be very cautious about coming back. Whether it would cure the disease or not I do not know. At any rate, I believe in that kind of treatment: they would get in honest work, and they would not be a nuisance to society. I certainly think that the man who is constantly sent to gaol for drunkenness ought to be sent to some place where he can be treated properly, and where he can be reclaimed from his vicious habits, or at any rate be deprived of the opportunity of getting drink, but if he has a family dependent upon him, I don't know that I would send him to an institution, because it would keep him away from his family.

Mr. Jury.

Q. You must know from your long experience of men committed three, four or five times that although they get drunk occasionally they are supporters of families, and it would be a great hardship to place these men in prison for a long term? A. No doubt it would.

Q. What would be the effect upon their families of this kind of treatment? A. There are men who come up two or three or four times in the year, who have others dependent upon them, and if you punish them in this way, you simply punish those who are dependent upon them. I think that probably a more effective punishment for this class would be to give them bread and water for a short term.

The Chairman.

Q. In dealing with this class of men, should not some portion of their earnings while they were kept in an institution or in the prison go to their families? A. Undoubtedly. I think that all the money that they earn, beyond the actual cost of their maintenance, should go to their families. That would be worth trying at any rate. The present system is no good, they don't mind it a bit; they go on laughing at it and continuing their old habits.

Q. Have you observed whether this taste for drink is hereditary? A. I cannot say that. I have noticed many drunken parents who have sober sons; I have known where both father and mother were addicted to drunkenness and their children were sober.

Q. Have you noticed whether this vice prevails to any large extent amongst juveniles? A. We very seldom have a boy brought to gaol for drunkenness, still, there is occasionally one.

Mr. Jury.

Q. Have you given much attention to the question of heredity? A. I have thought a good deal about it, but I do not know that I feel satisfied as to the extent of it. I have no doubt it has some influence, but I think there are as many go to gaol who are the children of sober parents as there are the children of drunken parents.

The Chairman.

Q. 163 boys and girls under sixteen years of age passed through your gaol last year. Were these generally committed for first offences? A. Speaking from memory I should say that about 30 per cent. of them had been sent in the second time there.

Q. What effect do you find gaol treatment has upon a boy? A. It altogether depends upon the boy's habits outside. I have had children there whose parents were respectable people, and when they came in, perhaps, they cried, and were very much frightened, but afterwards they became accustomed to that mode of existence.

Q. Don't you think that a good birching while the fright was on them would be much better punishment than continued gaol custody—would it not prevent them from getting callous? A. I think so; but it would depend altogether upon the nature of the boy and his surroundings.

Q. Do you find that second-hand stores or junk shops are a great encouragement to petty pilfering? A. Yes; lads are sent around in the first place to pick up rags, bones, bottles and things of that kind, and from this they go to other places. There might be a copper boiler, an axe or a saw; they would pick these up; and they find that these establishments are means of disposing of them.

Mr. Jury.

Q. Do you know that persons are arrested for being on the railway unless they are on the crossing? A. I have quite a number of such cases. They have constables upon the line, but I think when they are arrested there is generally something suspicious about them.

The Chairman.

Q. Do you think that theft and other kinds of criminality are frequently caused by the parents themselves encouraging the children in these acts? A. I do; in my opinion the parent should be arrested, where he is known to be a bad character, and where he sends his child out pilfering. I would take the child away from such a parent and inflict a severe punishment upon him for his neglect.

Q. Are there many children discharged on suspended sentence by the police magistrate? A. There are a few; I think it is better than sending them to gaol.

Q. What views have you formed as to the efficacy of the reformatory at Penetanguishene? A. We have found several come back again, and whenever they did come back they were very bad boys indeed.

Q. Were they really worse than before they went there? A. Yes; we have found them worse when they came back: they associate with the very worst criminals in the gaol, instead of the best; they have an inclination that way.

Q. Have you any further views in regard to boys? A. There are a great number arrested and they must be kept somewhere during the time they are on remand while the police are working up the case. If they are sent to gaol I think they ought to be sent for the shortest term the nature of the offence will admit of. Association of the boys together is just about as bad as association with the men. These little fellows sit down and talk about what a time they have had outside, how they have been to the theatre and other places, and about their feeds of oysters and other little luxuries.

Mr. Jury.

Q. If they don't do this in the gaol, don't you think that they will do it at the street corners? A. Undoubtedly they do, but the boy has got the option outside of listening to to these outside, and he has got no option inside the gaol.

The Chairman.

Q. What is the chief cause of these lads going astray? A. Neglect on the part of the parents.

Q. What in your opinion are the chief causes of crime? A. The causes of crime are many. Drink is undoubtedly the cause of the very large numbers annually committed; the gaol records prove this. The cause of so many young children being arrested is the

fact of their being sent out upon the streets to forage and even pilfer for themselves and their low, idle, and dissipated parents. Lads and very young men are often brought into trouble by meeting with bad characters at the low dens of the city.

Mr. JURY.

Q. Don't you think that there are cases where the mother would not let the children go into the street if she could help it, but where she is obliged to go to work she has to leave her children and there is no place where she can send them to. Don't you think it would be well if the State took charge of children in such cases? A. I do.

Q. Don't you think there are a large number of cases where the poor parent cannot afford to buy books, clothes and other requisites to send the children to school, and thus they are allowed to run about and become criminals, and they gradually drift into pilfering, till-tapping, and crimes of that sort? A. No doubt; I think there ought to be industrial schools where such children could be sent, where they could be kept during the day instead of being allowed to run about the streets, but their parents often encourage them in these acts. They send them out to bring home what they can; they have to bring something home, and if they don't get it honestly it does not matter.

The CHAIRMAN.

Q. Would you go so far as to recommend that where parents utterly neglect their children they should be taken away from them altogether? A. I would have no hesitation in doing so. There is a very great repugnance on the part of the mothers to part with or to give up their children, and this is a very excellent feeling. Still, having regard to the interests of the child I think they ought to be taught to see the matter in a different light.

Q. What are your views as to the working of the Central Prison? A. So far as Toronto is concerned, there is a large number of drunkards and of criminals sent to the Central Prison who come back again.

Q. Do you think it would be well if the Central Prison were enlarged sufficiently to have a greater number of sentenced prisoners removed to it? A. I think it would be very hard to do that, and it would be hard, moreover, for some of these people to have to associate with those felons in the Central Prison. There are many cases where it is desirable the persons should be sent to the common gaol to keep them from association with such criminals as go to the Central.

Q. How many times do you think prisoners should be committed to the common gaol before they become proper subjects for the Central Prison? A. Not more than twice; a married man with a family, however, should not be sent up for a year after two convictions.

Mr. JURY.

Q. Would you not judge every case upon its merits? A. I would deal with each case upon its merits, although I do not see how that can be done as things are now, where the police magistrate rushes through forty or fifty cases in a morning.

Q. Are men ever transferred to the Central Prison from the Toronto gaol who are sentenced for less than two months? A. Oh, yes, they will take them for twenty days. We often have first offenders taken down there. I don't think that is right; men regard it as a great disgrace to be sent to the Central Prison. People are apt to say, "Oh, he is a Central Prison bird." It carries more odium with it than the gaol.

Q. Were the 87 lunatics committed to your gaol last year principally from the city? A. Principally from the city. They did not remain long, as formerly the commitment of this class has a bad effect upon gaol discipline. They whistle and sing and break the rules in that way, and you cannot insist upon anything with a poor, unfortunate lunatic. I think they ought to be taken to the asylums direct in cities where there are such establish-

ments, and never taken to the prisons at all. I think it is a great mistake—a great injustice to send them to gaol.

Q. Do you find in your experience, that a large number of criminals are physically unable to work? A. Not a very large number of criminals, but a large number of the gaol population. There are some who are not physically the equals of honest, industrial people, but not a very large number.

Q. Do you really think, as a rule, that a healthy body is an indication of a healthy mind? A. Oh, yes, I think so. There are some who, from various causes, perhaps from the lives that they lead, are smart men either mentally or physically, but there are quite a number who are not physically strong who are mentally pretty sharp.

The CHAIRMAN.

Q. I see that you had 250 vagrants, where did they come from? A. Those old people who are classed as vagrants walk about from door to door. When they leave some of the institutions where they have been they don't care whether they go back, and they find their way to the gaol. They have nobody to take care of them, and they say they must get into some of these homes. There is quite a number of this class.

Q. Have you any further suggestions to make? A. I would just say, so far as the cellular system is concerned, that I strongly approve of it for those awaiting trial or first offenders, or even those convicted of second and third offences of a trivial nature.

Q. How many cells would you require in Toronto gaol to meet the cases you speak of? A. I think if we had a wing constructed with forty cells upon this principle we could give it a fair test.

Mr. JURY.

Q. How many first offenders had you in your gaol last year? A. 2,458 males and 630 females; altogether 3,088 for first offences, 496 for second and 170 for third; 75 per cent. were first offenders.

Dr. ROSEBRUGH.

Q. In response to the recommendations made by the Prisoners' Aid Society, were not certain valuable improvements made in the Toronto gaol during the last twelve months? A. Yes, a separate residence has been built for the governor, and the space in the gaol has been utilized in making better provision for the prisoners.

Q. What has been the cost of these improvements? A. About $40,000.

Q. Will you explain your method of constructing the cells you propose? A. My method would be hollow walls, wooden doors facing to the centre. I would give plenty of ventilation in summer from the top. I would have the windows so constructed that it would be next to impossible for a prisoner to get out. The cells would be large. I would have everything thoroughly substantial, no gingerbread affair.

Q. You have read the eleven propositions which have been adopted as the platform of the Prisoners' Aid Society. Are you in favor of them? A. I am in favor of some of them, only of some of them.

Q. Do you believe in using the common gaols as places of detention only for persons charged with offences and awaiting trial, and not for prisoners after trial and conviction? A. I cannot agree with that.

Q. With that exception do you approve of these resolutions? A. I would not go so far; at any rate, I cannot approve of number one.

Q. The next is that county gaols should be conducted strictly on the separate or cellular system? A. I approve of that so far as I have already explained.

Q. What about number three: "Persons convicted of crime should not be detained in county gaols but should be dealt with according to the age and natural proclivities of the prisoner"? A. Well, I do not say that they should not be sent to the common gaol.

Q. What is your opinion of number four: "A boy under fourteen years of age, not previously vicious, should be restored to his parents upon their giving a guarantee of his future good conduct; failing this he should be sent to an industrial school"? A. I quite agree with that.

Q. Then as to number five: "A boy under sixteen years of age, having a natural tendency towards crime, or being convicted of a second offence, should be sent either to a reformatory direct, or to an industrial school on trial, according to circumstances, and a special court should be organized to deal with these cases, as well as with females charged with light offences. A boy should never be brought to open police court, nor be sent to a county gaol"? A. I don't agree with that fully, unless you build another place and call it a place of detention. I do not see myself what is the difficulty in sending them to the county gaol any more than the name. Call it something else; call it a wing of the gaol. I do not know but it would take away the objection.

Q. Now we come to number six: "Industrial schools and reformatories should not be considered as places for punishment, but should be utilized wholly for the reformation of character. The young persons sent to these institutions should not be committed for any definite period, but they should be detained until reformation is attained, irrespective of the time required. The officers of these institutions should be carefully selected, preferably by a system of examination and promotion, and without reference to party or social influence"? A. I approve of that.

Q. Now as to number seven :"As industrial employment is a necessary step towards reformation, and as this cannot be supplied by the county gaols, the necessity arises for prisons and reformatories of ample dimensions where such employment can be provided and where other influence of a reformatory character may be utilized and where a system of classification may be carried on"? A. I don't agree with this as regards Toronto gaol, because we have plenty of work at Toronto gaol now, but as regards the majority of gaols where they have no labor of any kind, I agree with it. I agree that classification is necessary, but I do not know that you will get all the classification that you will think desirable in these other institutions any more than you have in the common gaols now. I do not see how you can have the prisoners employed in these large establishments without more or less association.

Q. Care should be taken to have this prevented as much as possible? A. Yes.

Q. The eighth recommendation reads: "The expense and management of such persons in such institutions should be borne by the county from which they are sent, when such expense exceeds the proceeds of the industrial labor of the person so sent"? A. Well, that is something which has to be dealt with by others, and I do not profess to give an opinion upon it; it will be for the various counties themselves to say what will be done. Very often we have persons from all over the country who are sent to Toronto gaol, and Toronto bears the expense.

Q. As to number nine: "Tramps and habitual drunkards should be sent to an institution where they can be provided with productive industrial employment, and where they can be brought under reformatory influences, and they should be detained in such institutions under indeterminate sentences. Incorrigibles should be sent to the penitentiary for life; they should be considered as having forfeited all right to regain their liberty unless reformation takes place."? A. This is a pretty hard one for me to get over. The principle would be pretty fair, but where are you going to draw the line?

The CHAIRMAN.

Q. Don't you think that the cleverest men in the penitentiary although they may be the worst characters would be those most likely to benefit by this principle? A. No doubt

it would be difficult to prevent that, and it is rather a nice point to decide who are to be classed as incorrigibles.

Dr. Rosebrugh.

Q. Now, as regards number ten: "In order to meet the requirments of the case there should be sufficient prison accommodation in Ontario to relieve the county gaols of all prisoners undergoing sentence. This accommodation should be provided either by enlarging the Central Prison, or by erecting two additional prisons, one in the east and the other in the west. There should be unification in our prison system; the prisons should be graded, and the reformatory principle in its most improved form and after the best models should be incorporated with said system."? A. I don't agree with that.

Q. The last recommendation is: "The question of prison labor should be removed from the arena of party politics and members of labor organizations should look upon this question from a patriotic rather than from a trade standpoint."? A. Well, I have nothing to say as regards that.

The Chairman.

Q. If you had what you conceive to be a perfect common gaol system, how many, of the total number who passed through your gaol, do you think would be restored to proper lives through the instrumentality of that system? A. Of those already committed to gaol, very few indeed. I think as regards the hardened criminals and the prostitutes it would be impossible to reform them. There is another view to be taken; many people are committed for crimes who are not guilty, and the effect of contamination with others while they are awaiting trial might be serious. The result of association might be mischievous upon their character. It is true there are some men that you cannot contaminate, but they are very few indeed.

William Van Allen, Gaoler, Milton, sworn.

The Chairman.

Q. When were you appointed gaoler? A. Twelve years ago. I have been in the gaol twenty-two years and in the service altogether thirty-four years.

Hon. Mr. Drury.

Q. I see from the report, that if it had not been for the vagrants your commitments during the past year would have been less than fifty? A. Yes, we would not have had many.

The Chairman.

Q. There would practically have been little necessity for the gaol. Did you admit any one into the gaol without a warrant? A. No, sir.

Q. You seem to let them out without any magisterial or judicial order? A. Yes, that is in accordance with the order of the mayor, who wishes us to keep them over night.

Q. Have these parties been before the mayor and formally charged with vagrancy before he issues the warrant? A. No, sir. The mayor simply gives the blank forms to the policeman, who fills them up.

Q. This has been going on for years. Have any attempts been made to put a stop to it at all, so far as you know? A. No.

Q. I see that of the total number of prisoners committed to your gaol three were for assault and three were civil prisoners. You had one sentenced for cruelty to animals, one for destroying property and four for drunk and disorderly conduct; three for escaping.

from a constable, one for horse stealing, one for indecent exposure, one for keeping a house of ill-fame, and four for larceny, so that practically you had only twenty-one criminals during the year, out of nearly four hundred prisoners? A. Yes.

Q. Do you think that Central Prison treatment has had a deterrent effect on criminals? A. Yes. On account of the rigid discipline and the labor there.

Q. Would it not be well to endeavor to put an end to the tramp nuisance, even if they were sent to the Central Prison for four, five or six months of the year? A. I think that would stop the trouble altogether.

Q. I see that you had three boys in your gaol last year. What were their offences? A. They came from the town of Oakville. They were brought up on four charges of house breaking and stealing property. They were children of very respectable parents, living in Oakville. The first one was only convicted of one charge, and the others were convicted of four charges, and it was thought that the best thing to do was to give them a month, and I was to keep them in one corridor—two days on bread and water, and then on prison allowance. On one of them the sentence was suspended. The punishment worked splendidly all through. They are deemed the best behaved boys that you could find ever since they came out. I think it really did them good.

Q. Are you in favor of the Government taking control of the gaols? A. So far as Milton gaol is concerned, I have no complaint at all to make of the county council or any of their officers. They told me when I want anything, to advertise for food and other things, and I do so, and then, as regards other matters, I submit my requisition to the sheriff. I have no reason to make any complaint at all.

Dr. Rosbbrugh.

Q. Have you not had some difficulty in regard to the construction of a kitchen? And has not this been delayed year after year, notwithstanding the recommendation of the inspector to the county authorities? A. There was a great delay over that, but it was through Mr. O'Reilly not being able to decide as to where the kitchen should be. Mr. Langmuir was there at the time the matter cropped up first.

Q. What do you think is the next cause of crime? A. Laziness. A great many criminals are lazy, indolent fellows, who won't work, in the first instance, and they drift by and by into criminality. If a man won't work he must get his living in some way, and very often he steals.

Dr. Rosebrugh.

Q. You had the prohibitary law in force in your county for some time. How many years was it in force, and what effect had it upon the gaol population? A. I think we had it six years. There was not so much crime committed under the Scott Act as there is now.

Q. Was there any marked decrease? A. I do not know that I could make any positive statement. You see a drunken man would get liquor. It was easy enough to get it because it was sold all around the county. The act was not properly carried out.

Matthew Clements, Sheriff of the County of Halton, sworn.

The Chairman.

Q. How long have you held the shrievalty of your county? A. Since 1882.

Q. Were you previously a member of the council? A. About fifteen years. I have been warden two years and reeve of a township several years.

Q. You have heard the evidence of your gaoler in regard to the increase in the number of commitments from 140 in 1884 to upwards of 400 in 1888. What reasons have you for this enormous increase? A. I think the times have had a good deal to do with that. When the times are good with the farmers more of this class are employed.

Q. Your gaoler thought that a large number of them were pick and shovel men who work on the railways. They would be chiefly foreign element? A. Yes, there are very few Canadians amongst that class.

Mr. JURY.

Q. Have you considered in your county council whether these men going around from gaol to gaol could, by some means or other, be brought to better habits of life? A. There was a time when a charge was made with respect to these but it touched their pockets, and then they abandoned the idea.

Q. Do you think that a plan could be devised whereby those men who have been in for the third, fourth or fifth time could be placed under a system of rigid discipline and hard work, such as prevails at the Central Prison, and that this would have a beneficial effect upon them? A. I think so, I would try it. It is a difficulty, certainly, that ought to be met in some way.

Hon. Mr. DRURY.

Q. Your county council allow the use of the gaol as a lock-up? A. We have very few other prisoners. If the gaol were not used in this way its inmates would be very few indeed.

Q. What are your ideas as to the chief cause of crime in the community? A. I think allowing young people to grow up in idleness is largely the cause of crime in the first place; they take to drinking; drinking leads to other bad habits, and these bad habits in their turn produce crime. I think drinking after this is the most serious cause. I think that crime is due very largely to drinking. I think it is productive of vice and vagrancy, and it really brings about felonies and criminalities of a serious nature. Men spend their money in liquor and are often driven into crime for their support.

Q. Have you any trouble at all in getting your requirements met for gaol purposes? A. We have never had any trouble. It is left to the gaoler who asks my opinion about important matters, and we have always got along smoothly in the county council.

Q. Could you give the Commission any information upon this question of juvenile offenders? A. I have nothing in particular to state. The only cause I can give you is the cause given by Mr. VanAllen.

Q. Your corrider for tramps must be very full occasionally? A. We have sometimes seven, that is about the largest number.

The CHAIRMAN.

Q. Do you think that the tramp nuisance is largely due to the fact of your being in the direct line of the tramps circulating from one centre to another? A. I do. The tramps pass us working their way from Hamilton and Guelph to Toronto, but I don't think that there is a large number in Guelph.

JONATHAN COOK, Gaoler, Berlin, sworn :—

The CHAIRMAN.

Q. When were you appointed gaoler at Berlin? A. In 1888. Previous to being gaoler I was a county constable for a great many years.

Q. You had five boys and a girl committed last year. What was the nature of their offences? A. The female was on the verge of becoming a prostitute. She was going

astray, and her father appeared against her and asked that she be committed for six months. She is there now. There is nobody with her except the matron. Three of the boys came from Toronto. It was supposed that they were implicated in some case of burglarly in the Town of Waterloo. The other two were in for larcency, and they were fined. I think their parents allowed them to spend two or three days in gaol before they paid their fines.

Q. Have you observed what effect gaol commitment has upon young lads? A. I would never let them stay over night. I have always noticed that after they have put in one night in gaol they have less dread of it.

Q. Last year you had 20 drunk and disorderly characters and 24 vagrants, nearly 50 per cent. of the whole number of prisoners. Were these men who had been committed over and over again during the year? A. Some of them were. Then our population is sometimes swelled by prisoners from Galt. The district around Berlin is largely of a German nationality and we get very few prisoners from that.

Q. I suppose quite a number of prisoners are sent to the lock-up who never find their way to the gaol? A. Yes, if we had not a lock-up our gaol population would reach from 900 to 1,000—that is, judging from the population of the lock-up—those who get their night's lodging there.

Q. What class of people were the 24 vagrants? A. There was a great mixture of nationality, there were English, Irish and Scotch.

Q. No natives? A. We hardly ever get a Canadian tramp. We get occasionally one from the other side. I do not think the tramps would work if they could get work to do. Some of them are men who have been sent to the Central Prison, and who have been back again to the Berlin gaol since. If they were given a shorter time in gaol and flogged I think it would be better. As things are now they simply go to these towns and throw themselves in the way of the first constable they see to get arrested. I can see now parties that I arrested when I was a constable eight, ten or twelve years ago coming back again.

Q. Have you many prisoners sent to your gaol who are proper subjects for a poor house? A. We have not had any since I have been there.

Q. Do you think it would be better if the gaols were entirely under the control of the government? A. I think they would be better under the control of the government. The system would be more uniform. Instead of the gaols being over-crowded we would have greater accommodation and there would be a tendency to have proper appointments.

Q. Don't you think that what might be suitable to one gaol might not be for another? A. That might be true to an extent.

Q. Are there any improvements in connection with your gaol that you think ought to be carried out? A. We could do with one or two more corridors. I think with two more corridors we would be able to improve the classification and prevent association amongst certain classes. I may say that the worst class to associate with are those habitual tramps who travel through the country.

Q. What do you think is the chief cause of crime? A. I was looking over our list. There were 34 committed last year for felonies. Of those, 16 committed their crimes directly from the effects of drink. These are parties I knew and I have traced the cases up. As regards the balance, a great many of them were simply idlers without work, and I think they drifted into a course of crime through being allowed to roam on the streets when young.

Q. Are you greatly troubled with boys running about the streets at night? A. No. We have a bell ring at nine o'clock every evening, and when that bell rings the boys are to scatter to their homes, I think it is a very good custom, but I think it would work better

if it were made an hour earlier. Every boy found in the street is arrested if he does not go home when he hears that bell ring.

Mr. JURY.

Q. You had 23 or 24 tramps in your gaol last year, and you say they were nearly all English, Irish and Scotch, but I see that you had 57 Canadians for offences of various kinds, so that nearly all of your gaol population who are in, not for vagrancy, but for these other more serious crimes are Canadians? A. Yes, Canadians are generally up for misdemeanors, felonies, heavy larcenies and things of that kind.

Hon. Mr. DRURY.

Q. The population of your county is fairly divided between the rural and the urban. What proportion of the inmates of your gaol come from the farming community? A. Very few.

MOSES SPRINGER, Sheriff of the County of Waterloo, sworn.

The CHAIRMAN.

Q. When were you appointed sheriff? A. In 1881.

Q. You were member for the county prior to that time? A. Yes.

Q. Can you tell the commission about this practice that prevails in Berlin of ringing the bell at nine o'clock, for the purpose of calling the boys from the streets to their homes? A. It commenced in Waterloo some years ago when there was a lot of unruly boys. It worked so effectively that there are none of this class there now, and it was introduced in Berlin two years ago with equally good effect. They passed a by-law providing that boys found on the street after the bell was rung at nine o'clock, should be taken to the station. It was something to be laughed at the first night, but those boys who crowded on the sidewalk and blocked up the street corners and the thoroughfares entirely disappear after that hour.

Hon. Mr. DRURY.

Q. Would you be in favor of the passing of a statute or an amendment of the Municipal Act which would have the effect of making the system apply to the whole Province? A. I would.

The CHAIRMAN.

Q. Of course a boy might be out properly after that hour? A. If there were any good, legimitate reason for his being out, he would not be taken up by the police. We have very peaceable, law-abiding people in our neighborhood, and the Germans are very anxious to carry this principle out as far as possible.

Q. Do you believe that the chief cause of crime is neglect on the part of the parents? A. That has been my experience for a very long time. I think the children not being properly looked after, allowed to run about at nights, is one of the chief causes of crime.

Dr. ROSEBRUGH.

Q. Do you think that truancy from school has also an effect in leading children into crime? A. We have not much of that. The by-laws are enforced and people have got to send their children to school. When I was in Waterloo on the Board of Trustees we took the matter into our own hands and made the children attend school.

The CHAIRMAN.

Q. The poor are not committed to your gaol at all. A. Several were committed to the gaol, but when we found out what they were and what they came for, we had them transferred to the poor house.

Q. Do you find that the existence of a poor house system in Waterloo has a pauperising effect upon the community? A. Not a bit. The trouble was before we had that house that other municipalities would unload their poor at Berlin station to get rid of them.

Q. Do you think that lazy people avail themselves of this institution in order to avoid work? A. No, I have examined into this and I am prepared to make this statement.

Q. Your statistics show that the persons committed to your gaol are of the class for whom the county gaol is intended. Do you find that the classification of the various prisoners in your five corridors is about as good as you could reasonably expect? A. I believe so. I have no reason to think otherwise. If we had as many corridors as we really should have, where are you to stop? I think we can carry out all the classification that is really necessary.

Hon. Mr. Drury.

Q. You will agree with this that the promiscuous mixing up of prisoners must have a bad effect? A. Yes, if no judgment were exercised in the placing of them, the effect of contamination would no doubt be serious.

The Chairman.

Q. Have you anything that you desire to communicate to the Commission, as to any matters appertaining to the subject of our enquiry? A. All the trouble I have is that the fees are very low.

George Mercer, Gaoler, Guelph, sworn.

The Chairman.

Q. How long have you held the position of gaoler? A. It will be thirty-two years next January.

Q. Do you feel disposed to ask your Council to increase the number of corridors, in order that you may effect a better classification? A. There was a time when we had 43 prisoners in gaol at once. The plans were made for an enlargement of the gaol, but the proposal fell through. I do not think there is any necessity now for the enlargement of the gaol, according to the number of the prisoners. I have not given very strict attention to classification. I think that classification is desirable where the discernment of the gaoler is such that you can depend upon his putting them right.

Q. Have you a county poorhouse? A. There is a county poorhouse. We don't send any of the city people there. Poor old people are sometimes sent to the gaol. I have two there now, they are under the heading of vagrants. There is one who has been there a great many years, re-committed year after year. We send them out in the streets and have them brought back immediatey.

Q. You sent six prisoners to the Central Prison during the year; has that enabled you to classify your remaining prisoners better? A. Yes. The Central Prison has been a great relief to me. I have had, in former years, fifteen or sixteen prisoners of that class, and a large number awaiting trial. I think that prisoners have great awe of the Central Prison. I have heard them say that they prefer the penitentiary to the Central Prison They say they have easier times, better food and so on.

Q. Do you think that gaol custody does the boys who are sent to it any harm? A. I believe it does. I am of opinion that boys ought never to go to gaol. I think the dread or fear of the gaol exercises a restraint over a boy and deters him from committing crime. Boys, before they are sent to gaol, have an idea that there are rats and all kinds of

things about the cells, and they are terribly frightened when they are first brought in; but when they leave the feeling has passed away, they have become quite familiar with the life there.

Q. Have you observed the effect of the treatment of Penetanguishene reformatory upon boys? A. I have only heard of one boy who has come back here, and he is behaving very fairly.

Q. Do you think that it would be better if the government took entire control of the gaols? A. I have no personal cause of complaint. I get all I want from the council. The only thing is that if they were under the government there would be more uniformity. I think, myself, that it would be better if all these institutions were in the hands of the government. I think it would be much nicer if all were under one head.

Q. What do you think is the chief cause of crime? A. I attribute a great deal of it, both directly and indirectly, to drink.

R. McKim, Sheriff of Wellington County, sworn.

The Chairman.

Q. How long have you been sheriff? A. About six years.

Q. You represented a portion of your county prior to your appointment? A. Yes, the North and West Ridings.

Q. Is everything done that can be in order to get as good a classification as you can of the prisoners in your gaol? A. I fancy that everything is being done that can be done. They have to keep some of them mixed up, so far as I can see. But my experience of gaol matters is limited. I think improvements might be made. In the first place we might get more ward accommodation. Some of the prisoners are able-bodied men, who could work if we had the facilities. Our accommodation being small, I make it a rule to get those sentenced to longer periods off to the penitentiary or Central Prison as quickly as we possibly can. We lose no time in getting them before the judge. The judge directs where they are to be sent to, and we get them off with as little delay as possible.

Q. You have a poorhouse in your county to take care of the old and feeble? A. Yes, but I think we could send some of those we have left even more properly to the poorhouse.

Q. Have they any means of employing them there? A. Yes, they have a farm of fifty or sixty acres, well kept and well managed.

Q. According to what the gaoler says you have a couple of prisoners now who ought to be in the poorhouse? A. If I understand the case properly, one is an old woman, who has been there a very long time. She really lives in the gaol. She will go out and will appear before the police magistrate and ask to be sent back again. She is useful in her way, able to work, and she does work.

Q. I see you had a few men committed for drunkenness and disorderly conduct; are they chronic drunkards? A. Some of them are. They are in and out.

Q. You have very few, for such a large population, sentenced for drunkenness? A. I suppose a great many go to the station house and are brought up at the Court and fined or let off. Still, I don't think we have many although we have a regular net work of railways through the county of Wellington. I find that the railway people are very particular.

Q. Seeing that you had only some fifteen prisoners sentenced for felony last year, do you think that there is any necessity for increasing your gaol accommodation? A. I think, that owing to the gaol being so old, there are certain improvements needed—more especially in the gaol yard. I am strongly impressed with the belief that the prisoners ought to have labor—that is, not sufficient labor to persecute them, but sufficient to employ them—just as if they wereliving outside.

Q. Do you think that gaol management and gaol administration would be more effective were it carried out under the Government than under the present system? A. I do. I believe the Government would be more liberal than the counties are, and that greater accommodation would be provided. I believe that the Government ought to have control of the whole thing.

Q. Would you ask the councils to bear their share of the expenditure necessary in the event of such a change being carried out? A. I believe in making them bear their share. Now, I am going to give you a case that came under my notice, in a neighboring county. I saw a class of prisoners wandering about the gaol that ought not to have been there at all in my opinion. I saw there a poor fellow who was sent in for no crime whatever—an old man lying in the last stages of life, with flies about his mouth and no one what ever around him. The sight to me was of the most sickly character. It was inhuman—it ought not to be tolerated in any county in Ontario. I should say, as regards that kind of thing, that county councils ought to be compelled to build poorhouses. It was too bad to subject persons who had committed no crime and who were in there for no kind of offence whatever to that kind of treatment, and to allow them to die there.

Q Are you of the opinion that a proper industrial school system would do much in reducing crime? A. That is my impression, although we don't seem to have a great number of boys round about the streets at night.

Dr. Rosebrugh.

Q. Don't you think it would be a good thing if the prohibition system were adopted in your county? A. We had the Scott Act in force three years. I found boys congregating about the hotels smoking, and I believe there was a good deal of illicit traffic going on.

Q But did the Scott Act reduce largely your criminal population? A. I believe it did. It stopped those smaller places from selling drink. The difficulty with me was after the Scott Act was put into operation that in travelling about the country I could not get a place where I could get a good meal.

Q What do you think are the chief causes of crime? A. I would not like to attribute it all to drunkenness. Certainly I think it would be a good thing if you could keep these young people that we have heard about to-day inside after a certain hour of the night. I think a good deal of our criminality is due to parental neglect. But I may tell you a class that we don't want in this country, and that is those waifs picked up in the streets in the Old Country and sent out by these societies. The farmers get these people and try as fast to get rid of them. Some of these young people have come out through the institution at Galt—Miss Macpherson's or what do you call it? They seem to settle at this institution and go out as they are required. Some of them fall into drunkenness, others get into other habits equally bad, that we had perhaps better not mention.

Q. If you find that no one avails himself of the opportunity that appears to be presented of disposing of our own children who are in the streets and slums, you cannot blame these Old Country people for taking advantage of the opportunity that we neglect or throw away. A. No; I think the mistake is with the people of this country in encouraging these old maids to bring children out.

Mr. Jury.

Q Don't you think that those who bring these people out do it for pay as well as for amusement? A. I do, you don't catch those old ladies doing it for amusement.

Q. Have you got any land in connection with the gaol? A. Our gaoler rents land outside, and he grows an excellent crop of mangolds. Sometimes he takes the prisoners out and makes them till this land, and no doubt he makes a profit out of it. I know a county where they can play at skating and amuse themselves in the curling sheds.

Q. Do you think it would be advisable for your county gaol to have two or three hundred acres of land? A. No, I don't think I would go so far that.

Q. Say one hundred acres? A. Yes.

The CHAIRMAN.

Q. How many have you in your gaol to-day who could be employed at this kind of work? A. I do not know, probably not very many. I have no faith in these fellows who are loose and idle, wandering about the country. I would like to see them employed in some shape or other. I am afraid our system simply creates prisoners, and I do not think that it is well that persons should use labor of that kind for other than legitimate purposes.

ABRAHAM B. CULVER, Gaoler, Cobourg, sworn.

The CHAIRMAN.

Q. When were you appointed gaoler? A. In 1875. I was sheriff's bailiff for twelve or fourteen years previous.

Q. You sent ten prisoners to the Central Prison last year; do you know whether this class frequently fall into crime again? A. Yes. The treatment at the prison does not seem to do them any good, but they stand in dread of it anyway. They never like to hear of the Central Prison. They think the authorities there are too strict with them. Another thing, this class of people never care about working much, and they are made to work at the Central Prison.

Q. If you had the twenty-four vagrants removed from the gaol to the workhouse, or some such place, would that enable you to make a better classification of your remaining prisoners? A. It would.

Q. Why don't the council build a poor-house? A. They think they are at expense enough when they maintain the gaol, and they say they have the gaol to send these people to, but I don't think the gaol is the place for them. A great many of these poor old people die in gaol, and of course the gaol is no place for them to linger out the last moments of their lives. Since I have been gaoler I have had somewhere about twenty die on my hands in that way. They were generally drawn from the laboring classes.

Q. Have you any decayed farmers who have come to grief and been sent to gaol for care? A. I do not know one. They would be taken care of by the townships.

Q. What are your views as to the Government taking over the gaols? A. I am quite satisfied to work under the present system. I have no fault to find at all.

Q. What is the population of the counties of Northumberland and Durham? A. About 75,000 people.

Q. And out of that population, you had last year only about twenty-four criminals altogether, for manslaughter, larceny, indecent assault, house-breaking, cattle stealing, feloniously wounding, and so on? A. Yes.

Q. You don't seem to stand much in want of reformation? A. No.

Q. What do you think are the chief causes of crime? A. I think the chief cause is the way little children are brought up. Many of them are improperly trained from infancy. I think there is a great deal of harm done through children being allowed to run about the streets, and if parents studied their own interests they would not allow it.

Mr. Jury.

Q. How many of those twenty who were in for vagrancy are people who are really past work? A. Well, they could not do a great deal of work. We have got a man in gaol now, and I think this is his twenty-second time in prison. This man was able to earn his own living, but he was a cripple and fell and broke his head, and he has never been altogether right since, so they sent him down. Sometimes they commit him as a vagrant. He is a habitual drunkard. He will get drunk for the purpose of being sent down. We had one man who died only a short time ago. He was committed a year ago for a period of six months. He was let out and he went to Port Hope, and he fell and hurt his shoulder and was sent to gaol for a month. After his time had expired, and he got nearly well, the doctor said it was broke. I doubted that myself, because the man seemed to have recovered. He got out, went into the back country somewhere, and made his way to Peterborough, where was put into the hospital. The people there sent him back to Cobourg. He was sent backwards and forwards, and then he was admitted into the gaol again, and after his admission he died in ten days.

Dr. Rosebrugh.

Q. What was the effect of the Scott Act in your county? A. There were not many committed for drunkenness during the years the Scott Act was in operation. I think that in 1885, the year before the Scott Act came into force, we had 197 prisoners. In 1887, when the act had been some time in operation, the number was 71.

I. O. Proctor, Sheriff of the United Counties of Northumberland and Durham, sworn.

The Chairman.

Q. How long have you occupied the position of sheriff? A. Five years.

Q. Do you find that every effort is being made to have as good a classification of your prisoners as you could wish? A. I think so, under the existing circumstances.

Q. Which do you think would effect most good in your county, an increase in the gaol accommodation or the building of a poor-house? A. A poor-house, I think. The old and indigent class would be drawn away from gaol.

Q. You had twenty-four vagrants committed last year? A. They are of different classes; some of them are very intelligent people. Many of them are tramps, and they like wandering about from place to place.

Q. You had thirteen lunatics in your gaol. The gaoler says they were not very promptly removed. Would it not be an excellent thing if it could be so managed that the lunatics would not go to gaol at all? A. It would, no doubt, but a great many of them could not be removed from their families direct to the asylum. I don't see how you could avoid using the gaols for this class of people when they become violent.

Q. Do the drunk and disorderly class come principally from the towns or the country A. They come chiefly from the towns; I think they are habitual drunkards.

Q. Is there any plan that you would recommend of dealing with them instead of sending them to gaol? A. I think that a poor-house, properly established, would relieve us of some of those, and the others should go to some other place beside the gaol. You

get a bright, intelligent fellow, who is confined there for three or six months with nothing to do ; he has only got to clean up the gaol. That really does not require a great amount of work, and they seem to be anxious, some of them, to do something, but there are no proper means of employing them.

Q. Do you think that many of this class of people make an earnest attempt to overcome their evil habit of drinking? A. No, I do not think that they do. I think they are too far gone before they go there. I have a great deal of sympathy for this class of people. I think it is more a disease than anything else with them. We have not many of them for such a large population.

Q. Do you concur in your gaoler's views that it is just as well that the gaols should be left as they are? A. Speaking of our own gaol, I do not think that it could be better conducted. I have no suggestion to make as regards improvement, except that I can say that I think we are twice as much inspected as we ought to be.

Q. What, in your opinion, is the chief cause of crime? A. My idea is that it is hereditary. Circumstances arise and they drift into it, but in many cases it is hereditary. I have known people steal because they could not help stealing. Others fell into crime, no doubt, through association. And then there is intemperance, but of course intemperance is brought about by association to a large extent.

Q. Have you any ideas as to any changes that you think would be of advantage to the gaol system? A. I do not know. I have noticed that our county judges are very careful about how they commit men. There might be a notorious criminal before them, men who may be even under their own impression entirely guilty, but they allow them to go if they have the slightest excuse for doing so.

Q. Don't you think that this is owing to extreme caution—a natural desire not to err? A. I think it is due to caution. Then, as to vagrants, they ought to be put in some place where they could earn a living. Idiots should be kept in a home, where they could be employed in assisting the helpless poor, and in that way they would not only be a benefit to themselves, but an advantage to the institution. I do not think they would care to leave it if they had a comfortable home, and at such an institution they would be a great deal of use. I think, by properly managed institutions, we should try to raise the poorer class of people, who are in a certain degree generating crime.

Q. Don't you think education will counteract this to a certain extent? A. Compulsory education I don't think is so good as to try to persuade people to take advantage of the opportunity which the Education Act affords. If some means could be devised whereby parents could be taught how necessary it is for their children to be educated and convinced of the direction in which their real interests lay, they would foster and raise a more intelligent class of people.

Dr. Rosebrugh.

Q. You don't favor compulsory education? A. I do favor it, but you want somebody to advise these people as to what is best for them. I would be very cautious about exercising the compulsory powers that might be granted by Parliament.

Mr. Jury.

Q. Do you think that poverty causes a great deal of crime? A. I do. And if the people had better social conditions they would not be so likely to drift into crime.

Joshua Modelard, Gaoler, Brampton, sworn.

The Chairman.

Q. How long have you been gaoler for the County of Peel? A. Since 1880.

Q. If you had a lock-up and a poor-house you would not have received over 25 or 30 prisoners during the year into gaol. Would the gaol in that case have been ample in all respects for proper classification. A. It would have been quite ample.

Q. And you would have been perfectly satisfied with it? A. Yes. We have no trouble in classification except when we get overcrowded in the winter time by having these vagrants.

Q. Is any attempt made to get rid of these people? A. No, I think not.

Q. What are your views respecting the Government taking control of the gaols? A. I am quite satisfied with things as they are. The county council is a little dilatory at times.

Q. Do you receive many of these imported boys? A. I have had a good many. One of the worst I ever had was in gaol this summer.

Mr. Jury.

Q. By which of these societies was he brought out? A. I think Dr. Barnardo's. He has just gone to Penetanguishene. He stole a man's horse and went off to another part of the county, got into work there, but at last he was cornered and he owned up that he took it. Then at another place he stole a valise and gold chain and five dollars. He robbed the children's bank of $5, then he got to a place called Dixie in Dundas and stole poultry and various things. Then when he got into gaol it came to these people's ears that there was such a boy there, and he was tried and sent to Penetanguishene.

Q. How old is he? A. Fifteen. We had another this summer, but he was on suspended sentence, the people he was with did not use him well, and there was not much to be said against him.

The Chairman.

Q. Then you think boys imported by societies are not the kind of population we want? A. No. My experience of them is that these immigrants from London, Manchester and Liverpool are about as bad as they can be.

Daniel M. Decker, Gaoler, Whitby, sworn.

The Chairman.

Q. When were you appointed gaoler? A. In 1882.

Mr. Jury.

Q. Do you think it would be better for the Government to take over the control of the gaols? A. I do, because I think we would have our wants better attended to. If we could have the repairs that are necessary carried out, it would be a great thing. We always experience delay in matters of that kind.

Q. Have you observed the effect of gaol custody upon boys. Do you think it has a good effect? A. I think so. I give them a stool to sit on, just to meditate.

Q. Do you think this is very effectual in reclaining them from criminal ways? A. Well, in some cases I have found it quite effectual. In some cases I think they ought to have a birching and twenty-four hours in the dark cell. That would have done them more good than the gaol treatment they received.

Q. What do you think is the chief cause of crime? A. No employment. Allowing boys to grow up in idleness. Boys who are brought up in idleness are too lazy to work for their living and they have no other means of support, so they steal.

Q. Have you had many young men and boys passing through your hands during the ten years you have had charge of the gaol? A. We have had quite a number of young boys who are growing up in idleness and the want of money, and when they want money they have to steal it.

Q. You seem to have done well without any truant officer or official of that kind, judging from the number of criminals you have in the county of Ontario. A. Yes. When I get a young man of eighteen or twenty into gaol, I take him to one of these poor old people and say, "Look here, you see that old pauper lying there, that is the result of coming here. Would you like to die a pauper in gaol?"

Q. That is a good object lesson? A. It is; I think they take it to heart.

William Alexander Douglass, Deputy Manager, the Freehold Loan Company, Toronto, sworn.

The Chairman.

Q. Mr. Douglass, we understand that you take great interest in certain fiscal laws and social questions, and that you desire to speak to us upon some phases of these questions in their relation to crime? A. Yes, I have prepared this article on the question. (Mr. Douglass read the article and then handed it to the chairman, who promised that it would receive careful consideration.)

Toronto, October 31st, 1890.

Present.—J. W. Langmuir, Esq., Chairman; Hon. Chas. Drury, Hon. T. W. Anglin, Dr. Rosebrugh, A. F. Jury, Esq.

Dr. Daniel Clarke, Medical Superintendent of the Toronto Asylum for the Insane, sworn.

The Chairman.

Q. Various opinions have been presented to us in regard to heredity; the physiological and the mental and moral aspects of it. I would first ask you what are your views in respect to the physiological. You believe, I presume doctor, that bodily forms and conditions are liable to transmission from parents to children? A. Yes, but heredity of course is a very large subject. Heredity along physiological lines, along lines of health, no doubt exists. No one can doubt that, who sees the perpetuation of races. The black man, and the white, Malays and Indians, and even Jews and Egyptians, are all along the physical lines of heredity. That is the tendency of like to reproduce like. You see the same thing to an extent in individuals.

Q. And personal appearance, stature, and color are also liable to transmission? A. Of course as regards personal appearance and color, a negro will reproduce a negro, but that is race, and this is as to nations. As to the personal appearance, in the case of father and son; take the individual along physical lines, no child is exactly like its parents. It is in its general features like its parents, but not always. It may have transmitted to it the heredity of its grandparents. No two children of the same family are exactly alike. They are not only not exactly like either of the parents, but they are not like one another. Not even the Siamese twins—who were so very intimately allied through blood and physiological conditions—were exactly alike. While this is true in certain features, yet there are certain generic or general features that they inherit. Now this is rather along physiological lines. You will see that you have uniformity in the general features of nations and individuals, but you have diversity in the particular.

Q. May the law of heredity in its physiological aspect reproduce where there is deformity in the father a like deformity in the child? A. Well, that would be along physiological lines it is true, and partly along disease lines. What I mean to say is that it is not necessarily heredity.

Q. I do not mean accidental deformity, I mean congenital deformity? A. As a rule it is not so, but there are exceptional cases where I think the maternal influence, and even the influence of the father may by conception, produce the deformity in these lines; but it is quite exceptional. I know dozens of families where the parents have had spinal curvature, but have had most beautiful children without any deformity about them.

Dr. Rosebrugh.

Q. In the case of deaf mutes, where the parents are both deaf and dumb even, is it not the exception that the child is deaf and dumb? A. It is the exception. From the tables I have seen there can be no doubt that it is the exception, where the children of the deaf and dumb are themselves deaf and dumb. The law of heredity is always fighting back to normal conditions, not to lines of deformity, but to the central lines of naturalness both in body and mind.

The Chairman.

Q. Are physical peculiarities, such as the gestures of the father, and the tone of his voice, liable to be transmitted? A. Well, if there is heredity in the general features of the person, you may have the same as regards the gestures, or the tone of voice, simply because the vocal organs are constructed on the same lines. The tone of the voice lies in the structure of the vocal organs, but this need not be the result of heredity alone. A child can assume the tone of voice of the father and mother because it likes him or it likes her. The child naturally respects and likes its parents, and it will intuitively adopt their style and manner; thus you see many students all assume the voice and gesture of the professor under whom they have been taught, and they do so almost unconsciously. Now you see you can have the transmission from the vocal cords, the result of natural law, and you have the transmission from imitation.

Hon. Mr. Drury.

Q. In a case that I have in my mind there was no deformity in either of the parents, but one child had a hair lip, and another followed. Some of the children were all right? A. You get the exception in respect of the transmission of some bodily defect such as this; but if you could classify them together, by thousands, you would find they are the exceptions to the general rule. I know myself, children whose father or mother perhaps had some deformity about them. One child had the deformity and the other child had not, showing conclusively that it is not the law but the exception to it. Possibly the maternal influence has a good deal to do with it. The mother says, this child I am bearing may have hair lip, and she reiterates this all the time, while the child is of the same blood as herself. If you find only one or two out of a family of seven or ten, with this peculiarity it clearly shows that the law is fighting back to the normal conditions and that these instances are the exceptions.

The Chairman.

Q. I know one instance myself where the father has three fingers and this deformity has descended to several of the sons, but it has skipped the daughters, and one of the sons? A. Exactly, that is another illustration of the same thing. The reason why you often have it skip from one side to the other is plain to any one who thinks this matter over. Here is a father and here is a mother. The father is defective in some way, he is mentally, physically, or in some respect, weak. The mother has a strong organization, and is without any defects. The child has taken in the mother's strength of body and mind, and in consequence the weak side of the other parent is dominated over or held down by the strength derived from the mother. The idiosyncracy or the diathesis in the man is held down by the strong organization in the mother, but in the next generation the weak line

makes itself manifest, because the restraint has been removed ; the counteracting strength in the mother has been spent. It is so in consumption, it is so in scrofula, and it is so in insanity.

Q. Is there such a thing as the transmission of chronic physical disease ? A. There is no hereditary transmission of any disease except such diseases as are introduced by poison, like syphilis—diseases that we call toxic, introduced by poison into the system ; but insanity, consumption, or scrofula, are not transmitted as such. The general weakness is transmitted, the tendency of the constitution is along weak lines. The citadel of life is there but there are certain weak points in it. It may be scrofula, insanity, or some other disease that is in the system, and it takes hold of it there at some weak point and may assail it in some other direction. It is just a weak point along the line of life.

Q And this accounts for the fact that in consumptive parents there will be tendency to consumption, but the disease may not appear until it is brought out by some special circumstances ? A. Precisely. It is like a magazine of gunpowder. You have the explosive element there, but the gunpowder is as inert as a piece of granite until the fuse is applied; until the match is brought in contact with it there is no fear of an explosion. Thus you see a great many people, the children of consumptive parents, have a tendency to consumption in them, but unless they have pneumonia or cold they may pass through life and never become a victim to that malady.

Q. Coming now to the mental side of the question. Take a father and mother who are violent, passionate people, will the tendency to this temperament be transmitted to the child ? A. The tendency will be transmitted but not the thing itself. It is just like this. There may be a high-strung instrument that transmits certain sounds, but it is simply because the instrument is high-strung that these sounds are produced, and not because one string is out of harmony with another, the tenor or the alto, it is not the fault of these.

Q. Then there is no law that will invariably send this heritage down to the child ? A. No, because as I tell you the child is not the exact counterpart, and there may be foreign elements introduced which will counteract the influence of the parent which has been inherited. There is a foreign element imported into the child, for there never was a child the exact counterpart of its parents.

Q. Are you of the opinion that intellectual endowments are transmitted from parents to children ; take a father who is a great mathematician, is his son likely to become celebrated in mathematics too ? A. Well, the history of the world points the other way. Few great men have had sons who inherited their father's ability or genius. There are exceptions to this rule as the two Foxes, the two Pitts', but the large mass of the great men in this world have not transmitted greatness to their children.

Q. Is it not a fact that precociousness is transmitted ? A I have noticed that, but I would just like to say ; you have got an alphabet which can be formed into words by the million ; you have all the elements in the field, and so it is with the child. You have the generic peculiarities of the parents, but there are so many foreign elements introduced into the child that go to make up its complete character. It is the same way with crime. I often see in the newspapers statements about the atrocities perpetrated by criminals, and by the descendants of criminals, and you hear about the heredity of crime ; but if this were so to the extent claimed, the whole world would have been all criminals long ago. All Cain's progeny would have been murderers. My own forefathers had predatory instincts, and stole horses and cattle, but I have no desire to help myself to anybody's horses and cattle.

Mr. Jury.

Q. Perhaps you have not felt the want of them. What are these foreign substances that enter into the make up of the child. A. Here is a child born into the world. The child has in it all the potentialities of life : it has got all the heredity it can possibly have.

It is in how you bring this child up that it gathers its individuality. Supposing it is taught to know nothing but lying, cheating, stealing; it is brought up in the worst possible condition, in bad sanitation, unhealthy moral atmosphere, and it has all sorts of vicious surroundings. You get these foreign elements and you cannot set the cause of the child's criminality down to heredity. I may say that even before birth there is no doubt that the condition of the mother has a good deal to do with the state of the child. If the mother is in a happy home, or on the contrary if she has been in a home where she has been subjected to violence, bad surroundings, do you not see that the child must of necessity be changed in its heredity, by means of its development in utero.

Q. Take two children: one born of parents with strong animal passions, and the other of parents with mild passions and who keep their desires under restraint: would you not be very likely to find strong passions in the child of the former parents? A. Yes, that may be; but the passion itself is not hereditary. The development of these passions would depend upon the education and environment of the child

The CHAIRMAN.

Q. We have had the strangest theories submitted to us respecting the influence of heredity; theories which, if they are correct to the extent to which they are carried by some, would lead one to conclude that there is not much use of a Prison Reform Commission or anything else in that direction. What do you think of the importation into this country of youths, the progeny of criminal parents, coming from the slums and lowest parts of the cities of the Old Country. If they are taken away from their parents at the age of eight or nine; will that hereditary taint follow them to this country in their new surroundings? A. I think it will in a general way. I think if you take them at eight or nine years of age, they are old enough to have learned a great deal of badness by that time. As a whole I think the tendency would be far worse than if they were under better conditions.

Q. If you you separate a child from the parents a few hours after being born and bring it into healthy environments, will the heredity follow? A. There is no doubt in my mind that a larger proportion of such children would go to the bad than of those who have had better birth; but a large number of those children are recoverable under those circumstances. For what does it mean? It simply means that the law caused a downward tendency, but the good environment saved the child. A large number are brought away before they can learn anything evil; but still, a greater proportion would go to the bad than of those born under more favourable circumstances.

Q. Then is the importation of these boys to this country a dangerous practice? A. Yes. I think if you take the child from its mother's breast it would not be likely to suffer much; but take it from four years up, it is not a good element to introduce, and it had better be avoided. It is astonishing how young children can learn badness, and at the same time I think it is very absurd to dump upon our country the children of the slums of the East end of London, the Cowgate of Edinburgh, and the Thieves' Kitchen, and at the same time neglect our own children who are swarming under the same conditions in our own large cities.

Q. Do you believe that drunken parents transmit to their children a hereditary tendency to drink also? A. I have mentioned the general law already, which applies to drunkards as much as to anybody else. Take the children and the grandchildren of parents and grandparents who have been drunken from generation to generation, they beget weaklings mental weaklings, moral weaklings, who do not inherit a tendency to drunkenness perhaps, but who inherit a tendency to some form of intoxicant. They have weak physical power, weak will power, and they have a general sense of ill being which inclines them to take hold of this and other stimulants—narcotics and the like. It is not because the drunkenness has been bequeathed, but because the weakness has been bequeathed for this form of vice. The man always begins with a downward tendency who has been a sober man, and gradually his drinking becomes a second nature—it becomes a vice, and this vice becomes a personal history and destiny in the man, and then he is sent down hill with a vengeance, and raises deteriorated beings such as I have described.

Q. Do you look upon drunkenness as a disease? A. It is a deterioration of character, not a disease, properly so called, but I may tell you that, I have watched more than a hundred personal histories and I would say that a man who gets drunk habitually is in a way diseased and should be put under some medical treatment; but you take a man who goes on occasional sprees, who has intermittent times when he hates the sight of liquor, but outbursts of drunken mania—that is, every three or four months: I have never seen a case of this sort in which the weakness was not bequeathed by the parents. You take a man who gets on drunken sprees intermittently and he cares nothing for his family, home—cares nothing for his social standing, cares nothing for his position whatever it may be, and when the mania comes on there is nothing under the sun will stop him but an explosion of the drunken bout. I have had them come to me by the dozen and beg to be locked up because they felt the longing—the mania, the craving for drink coming upon them.

Q. Is it not necessary that the children of parents of this kind should receive a great deal more care and special treatment than the children of those who have merely acquired the habit? A. It is so. It is a mania that they have. It is ingrained into their nature; it is the same with opium eaters, it is the same with those that take chlorine.

Hon. Mr. Drury.

Q. This is such an important question that the Commissioners would like to get to the bottom of the matter. In the course of our enquiries it has been stated by a large number of witnesses that the chief cause of crime is drunkenness. Take a father who has contracted the habit of drinking; would not the habit on the part of the father become an impulse with the child—more than a habit? A. Not necessarily so. There are exceptions to the rule. You take the child of a drunken parent. He is a weakling, of weak will power mainly, and strong passions probably predominate equally. You take that child. He is not deteriorated along disease line, but along physiological lines, because of the condition of the parents in his begetting; therefore this child has a tendency either to go into drunkenness, or some form of nervous disease, or insanity, because of the very fact that the deterioration of the father and mother has been brought about by means of liquor—not because they are drunkards but because they are weaklings.

Q. Do they require special treatment? A. Of course they do or they will all go to the dogs. It is perfectly absurd to bring up these drunken men and say, "A dollar and costs or thirty days." It is sometimes said, and even representatives of the law will use the words, that they ought to be whipped; but it is all very well for us who have no taste for liquor to say so. If you heard the descriptions of the fearful condition of these people as I have heard them you would think differently. I say that these people have no right in a Christian country to be dumped into the gaols in this fashion. It is a piece of inhumanity to do so.

Q. Would you include all drunkards in your system of special treatment—habitual drunkards as well as others? A. I would include habitual drunkards. I would include them all. I would keep them until the will power had been restored. I would have them kept indefinitely under restraint and educated in honest work.

The Chairman.

Q. We have a large army of drunkards confined in our gaols, and it is most difficult to know what to do with them. We have no place for the poor man who has become a drunkard, either habitual or otherwise. I submitted a scheme, and would like to know your views upon it: that is, that after three or four commitments to the common gaol, habitual drunkards instead of being sent thirty or forty days to the common gaol should be sent for six months to the Central Prison, or what would be much better, to another institution specially provided for them, and if after they are let out they fall again, I would make it twelve months, and if they fall again, eighteen months: until they got up to the limit that the laws prescribe for the Central Prison, one day less than two years. I would give them proper industrial employment in this place. Would not that be a better

way of dealing with them? A. That is my plan; I agreed with you when we discussed this years ago. Don't put them in any criminal place at all, but call it an industrial home or anything you like where they can be kept under prison regulations if you like; but let it be a place where they can earn their living and assist their family, and there let them remain until they are cured, or there is some probability of it; and then look after them when they come out at the end of the term.

Mr. Jury.

Q. Do you think that at the end of the period the appetite would be destroyed? A. Well, in some it would not, but a good many would be reformed. You know habit is a second nature, and they would have been by that time long accustomed to habits of sobriety.

The Chairman.

Q. You have noticed in your professional career, that drunkenness, even in the higher classes deteriorates the moral qualities? A. Yes. The reason is this; that the moral nature of a person is always dependent upon the intellectual. You cannot have the highest consciousness, the sense of right and wrong, developed to its highest extent, except it has play upon the intellectual nature. If you deteriorate the intellectual part of man's nature, you deteriorate his capacity to form good moral judgment, his capacity of knowing right from wrong, his ability of knowing what he ought to do and what he ought not to do; therefore you see moral idiots because of these undeveloped faculties.

Q. Is there such a thing as a moral idiot. You know there is a famous case in the western part of Canada just now, where a person convicted of a capital crime for which he has been condemned, has been described as a moral idiot? A. No, not as the word is understood in that case. The moral idiot is one who has lost his balance intellectually.

Mr. Jury.

Q. You have just described the case of a person, who has his intellectual and moral nature undeveloped; do you not find persons of good moral nature who are low intellectually? A. The rudimentary intellectual basis might be there, and not fully developed.

Q. Is it possible to have an undeveloped intellectual nature and a highly developed moral nature, and how would it be possible to educate the intellect without educating the morals? A. You can educate the intellectual nature of persons and make them the cleverest burglars and forgers. You say these are equally developed with the moral nature. Take a lot of persons in the Central Prison, they would not lose a night's sleep over their crimes. Their moral nature does not assert itself in restraining any of their actions; and why, because all the potentialities of the moral nature, as Herbert Spencer would say, would be there but they are undeveloped.

Q I understand you assume the position that you could not have a man with an educated intellect and low moral nature, and could not have a moral without an intellectual nature? A. No.

Q. Don't you think that people inherit good intellects? A. Yes, and you implant a good education and then that is only the development of the natural intellect; but everybody has a potentiality of his own beyond which he cannot go; and you can educate until the intellect becomes fully developed.

Q. But don't you think that there are persons of low capacity intellectually who have good, sound moral natures? A. There are many good people who have what you call a low intellectual development; that is, so far as the stretch of intellect goes. They have sound morals within certain restrictions, but they have not the good moral nature of a man who has a highly-developed and cultivated intellect. You know that there are people who are very religious, who have a very low form of morals.

Q. Are there men whose moral nature is stronger than their intellectual? A. I may tell you this. I see it in insanity. You take an insane person; the first thing that will go with him will be his morals, they are low. If he never lied before he will lie then; if he never used bad language before he will use it then; the moral nature will give way to a large extent because the intellect is diseased.

Hon. Mr. DRURY.

Q. I know within the circle of my acquaintance a number of persons who can neither read nor write and who have never had the opportunity of cultivating their minds, and who are from an intellectual standpoint low specimens of humanity, but I can depend upon their honesty—depend upon their honor; in all the practical relations of life they are moral people. I thought from the standpoint in which I understood the tenor of your remarks that this could not be unless their intellect were trained? A. Oh, yes; there are many people who have never had education but who have good common sense and a great deal of mentality; I don't mean just education; many are such as you say, but if you gauge these people by the ordinary standard of mentality you will find that their mentality is of a pretty good order; that does not interfere with the theory that if you have a low intellect you have a low moral nature, and if you have a low intellect you have a correspondingly low appreciation of right and wrong.

Q. You say that the motives that actuated such persons would not be of the highest order, because their intellectual development was not high? A. No. I would not mean that. From the beginning to the end their motives are good, but if some question of ethics or morality came up before them you would find that these people would have great difficulty in determining which was right and which was wrong.

The CHAIRMAN.

Q. Now, accepting your modified view of heredity of the moral kind, I suppose the Commission may take it for granted that you hold that the human species may be improved by proper treatment, and may free itself from hereditary taint, whether physical, mental or moral? A. Most decidedly. Nature tights towards the highest standard; that is, the normal standard, and the world was never better than it is to day.

Q. How do you account for this? A. I account for it by the high intellectual standard that generally prevails, the good environments, the inclination towards high morals. As regards all these the world stands upon a higher plane than it ever did in its history.

Mr. JURY.

Q. Even admitting that some do inherit more than a tendency to crime—a strong predisposition to crime, so that it is impossible almost for them under certain circumstances, to resist the temptation when it presents itself although they know that what they are doing is wrong; or supposing they do not know they are doing wrong and are responsible for their wrong acts, and even admitting that they have not the same degree of responsibilty as a person without this strong moral tendency would have, should not society protect itself against these people? A. Yes.

Q. Your responsibility may not cease? A. You and I might differ in terms as to responsibility. The sense in which I thought of the question was not so much a mere violation of law. There are many persons who would not steal, and yet might have no sense whatever in regard to right or wrong, in a highly difficult problem. It does not follow that a person brought up not to steal and lie may have a high moral sense. The responsibility is in my opinion that innate faculty that we have that enables us to determine what we are to do apart from what we ought not to do.

Q. Do you say that we have an innate faculty for this? A. Yes. Every man has an innate faculty that tells him what to do and tells him what is right and his duties to his Maker and to his fellowmen. That does not require education. It is a violation of a law that is implanted in every man if he does not do it.

Q. Do you think that when a hungry man passes an apple orchard full of ripe fruit that innate faculty would be strong enough to resist his putting forth his hand and eating it? A. No. But take the case of a man who would kill his mother, is there any one so devoid of this faculty as to think it right to kill his mother. Is there any savage so low as to be without that inherent sense.

Q. But a man thinks nothing of killing his fellowman in war? A. No, but take an Indian or savage—if you find a Hottentot who would do this I will give in.

Q. Don't you think that there are people who would even kill their parents? A. No. Under the Spartan law they killed their parents as a matter of mercy, because they were a migratory people, and to take their parents with them when they went on their long journeys would involve greater suffering than death itself.

The CHAIRMAN.

Q. You distinctly state then that notwithstanding all the influences of hereditary taint, reformatory influences may be exercised successfully? A. Decidedly. Hereditary taint is only a man's bad arrangement. If you reverse the arrangement you bring the person back to the normal condition.

Mr. JURY.

Q. Dr. Bucke in his evidence calls these people lapses of some previous age, people who have lagged behind while the race has risen to a higher plane? A. No doubt they are lapses, but have not our ancestors themselves had those lapses? Where did they start? The whole began in savagery. There is no fixed law; nature aims at the highest ideal. The lapses are getting less as we go on advancing. I repeat again, that the world was never better than it is to-day. You have got the telegraph, you have got the newspapers, you hear from one end of christendom to the other in twenty-four hours and you know the condition of things as they exist. If you will take the moral standard of this and compare it with any former age you will find that the world never stood higher than it does now.

Q. Is it your idea that we are exactly as we are made, that we cannot be held responsible for our actions? A. No, I hold that there is a personal responsibility attaching to every man

Q. Then you differ from Dr. Bucke? A. I do; I believe every man is responsible for his actions.

Hon. Mr. DRURY.

Q. Do you think that any good could be accomplished if the Government went back to their original intention of establishing an inebriate asylum? A. I think it is all right to make it an industrial institution, Don't call it an asylum, let it be a place where these men could be sent who have proved themselves to be chronic drunkards—where they should be compelled to earn an honest living, and let them be kept there until it is pretty satisfactorily proved to some competent authority that their will power has increased. It is with them as with criminals. There are many who may be kept away from drink who will never be reclaimed, who have no right to be at large at all. I hold that there are a number who ought not to be at large any more than the chronic insane; they perpetrate their crimes over again and fill the world with their progeny, who inherit this weakness, this tendency to evil.

Q. Do you think that drunkenness should be treated as a disease. A. There is one class—the diseased class, that have acquired the drunken habits. They are liable to treatment.

Q. Should it be left to private enterprise to establish this institution, or should the Government do it? A. By all means the Government should do it for the poor. It is the place of the Government to look after these. I am afraid otherwise they will be left unprovided for as they are now.

The Chairman.

Q. I would like to know whether medical treatment without moral and physical treatment, is effective for this class? A. As I have said, there are two classes of persons; one man is diseased—his nervous senses have become disorganized for the time being by an insidious attack upon his brain. The man who has intermittent drinking bouts, who has inherited the disease, is not, I am afraid, likely to be cured. The one class is diseased and may be kept under treatment with the hopes of recovery. The other class is almost hopeless. The one class is amenable to treatment; the other class could be subjected to moral influence, to treatment of the mind and habits.

Q. The great number of lunatics that pass through the gaols has been brought under the notice of the Commission. Do you think this could, by an increase of the asylum space, be remedied or is it a necessity sometimes that lunatics should be sent to goal? A. Under the present condition of things it is a necessity that they should be sent to the gaols because you have got no alternative but that or allowing them to wander around the streets. As between the two the gaols are the best for them; but I hold that no lunatic who is not a criminal should be sent to gaol, except there is no possibility for other provision being made for him. My opinion is that in the cities they should be sent to the insane asylum direct and examined by two medical men, and kept there for ten days on probation until it is pronounced whether they are insane or not.

Q. This would necessitate plenty of accommodation? A. Yes. I will give you an illustration of the absurdity of the present law. A person in Queen street becomes violent and is supposed to be insane; a doctor is called and they come to me and he is admitted to the asylum on the certificate of two medical men. Within 50 yards of this same place a policeman picks up a lunatic. That lunatic is taken to the Toronto gaol, has to be certified to by Dr. Richardson and another doctor, and declared to be insane. This document is sent to the Provincial Secretary, and from the Provincial Secretary to the Inspector and from the Inspector to me. and I have it sent back and the man is brought to the asylum weeks afterwards. Both lunatics were within fifty yards of each other on the day when they became insane; the one was subjected to this cumbersome system, the other was taken almost instantly to the asylum. Three or four weeks sometimes elapse before the cases come to me from the gaol.

Q. What would you do with the case where a man becomes insane and is homicidal and dangerous; don't you think the gaol is a strong and safe place for him, and is it not necessary to keep him somewhere until his exact condition is ascertained by observation? A. If you have got no intermediate place well and good, but if you had I would not put him there.

Hon. Mr. Drury.

Q. But there are two different classes: the law recognizes one class as dangerous. This class must be dealt with by a formal information—dealt with by a justice, and you cannot commit that person until the justice is satisfied that he is a dangerous lunatic. A certificate from a medical man is sufficient in the one case but not in the other. As I understand it it is because society has to be protected against the dangerous lunatics? A. They are both dangerous In the one case the papers come from the family, and in the other from the officers of the law. I do not see any difficulty in dealing with both cases in the same way. There is a magistrate say at Peterboro and a person is arrested by a constable, and instead of sending him to the gaol you have a medical man called in to say whether he is dangerous and if there is room enough have him sent to the asylum at once. I should think that could very well be done.

The Chairman.

Q. You would prefer admission to the asylum direct from the family? A. Yes. I would like to get a poor unfortunate lunatic at once brought to treatment instead of having him lying round the gaol. I think the trouble has been the want of accommodation in the past, but now that Mimico is established, a place secured where we can

put up a cottage in three months if necessary, there is no reason why insane people should not be taken direct to the asylum.

Hon. Mr. DRURY.

Q. Do you think putting lunatics into the gaol without any knowledge of proper treatment on the part of those in charge there tends to destroy in a measure the chance of recovery? A. In what we call acute cases it would; in cases of chronic insanity it would not make any difference. My idea is that with the arrangements and facilities for treatment in the asylum, the chances for recovery are far greater than they would be in the gaol for that class. A good many of these people are merely unfortunate. They have never committed any crime and if they recover the stigma is attached to them of having been in gaol, a stigma that ought never to have been on them. I should like to emphasize this.

The CHAIRMAN.

Q. What do you believe to be the chief causes of crime in the community? A. Well, that is a big question. There are so many causes for it; want of education, and therefore want of proper moral intuition; want of the example of parents; intemperance, although not to the extent I see is declared, because some of the worst criminals we have are clear-headed, sober men—burglars, counterfeiters, forgers—who in order to carry on their business successfully must be sober; but to the great mass intemperance is a source of crime no doubt; bad environments and example; want of proper education, moral and otherwise. These are in my opinion fruitful causes of crime. If it were possible to scatter these criminals into the country by cheap fares and drives, to place them in the sunshine, that would do a great deal towards breaking up the mass of criminality in large cities.

Mr. JURY.

Q. You mean to give them more facilities for recreation? A. Yes. They congregate in these nests of infamy. If you would inaugurate a system of cheap transportation I think it would do a great deal of good.

Q. Don't you think that these people coming into the world with weak organisms and a tendency to crime is accountable for a large proportion of the crime? A. It is accountable for crime in a secondary way; therefore I say that you want to get them into better surroundings where there is sunshine and light.

Q. Have many of those who have been emigrant children come under your charge. Have you any means of tracing their history back for a few years? A. No, but it is an important point; and I pointed out in my report of last year the large number of the insane who came out here and were sent to the asylum. The number is altogether out of proportion to the number of emigrants who come to the country, so far as can be gathered from the returns. I suppose this must be due to the system of sending out waifs, foundlings and weaklings through these institutions.

Hon. Mr. DRURY.

Q. What in your opinion is the most fruitful source of lunacy. A. Heredity in the way I have mentioned. There are at least sixty per cent who have come to us who are weaklings on account of the hereditary tendency combined with the great strain of life which people have to face now. They give way under the severe nervous tension

Q. Is intemperance a fruitful source? A. No, not so much as you would imagine. A few years ago I tabulated all that had been sent to the asylum for half a century and found that ten per cent. came from the result of drink, but in a good many of these cases drunkenness was not the cause. There were some other troubles, business losses in some cases, and worry, and drink was the result of this antecedent cause; therefore I am convinced that there are not more than eight per cent. come to the asylum from drunkenness; and I am quite sure there are sixty per cent. from weakness in the hereditary sense,

developed in various ways—religious mania for example, and temperance mania. There was a man getting up statistics for a pamphlet on this subject and he came to me to be furnished with these figures. He was exceedingly anxious to get the statistics so I prepared them, but apparently they did not coincide with his preconceived opinions, for the pamphlet was published without my statistics.

Mr. JURY.

Q. Do you think that masturbation is a cause of insanity? A. It is both a cause and result of insanity.

Dr. ROSEBRUGH.

Q. You are aware that in the South Sea Islands, Samoa, the Island of Apia, Tonga, Raratonga, the Sandwich Islands, and the New Hebrides, there have been splendid results from the labors of the missionaries during the last forty years. In that case you see the improvement that even one generation can effect? A. No doubt they have been improved, but as regards the savages they know that the morals that we have are the morals that pay best in a community.

Q. Although a child may have been born with hereditary taint, this tendency may be surmounted in one generation you think? A. I do.

Dr. RICHARDSON, Surgeon, Toronto Gaol, sworn.

The CHAIRMAN.

Q. How long have you held the position of surgeon of the Toronto gaol, doctor? A. Since 1858. I was appointed 32 years ago.

Q. During that time you have been almost daily in the gaol, and you have observed the various classes of prisoners? A. Yes.

Q. I notice that the city has provided improved means of classification. Do you think that this will have a good effect? A. I think it should have been done long ago.

Q. There is much talk at present about the great necessity for cellular confinement, Do you think that this, even in respect of those who are waiting trial, would have a good effect? A. There must be contamination so long as prisoners associate together, and there are parties who are not so steeped in crime when they go to the gaol, but who would become steeped in crime if you did not separate them from the prison class. In this particular the cellular system would be the best; whether other considerations do not outweigh these advantages is a question for you. My impression is that where the cellular system has been tried the effect upon the mind of the individual has been so depressing that it has become actually injurious in a great many cases and has resulted in insanity.

Dr. ROSEBRUGH.

Q. That is where it is prolonged to years: but that does not result in a few months? A. No, I would not expect results of that kind to follow a few months' solitary confinement.

The CHAIRMAN.

Q. Are the evil effects of improper classification most apparent in men, women, or boys? A. I do not think that there is any difference; my experience is that the boys who come into gaol are a very bad lot. The boys are almost the equals of the old criminals in viciousness. Except those who are sent for trivial offences, such as stealing fruit, or for the little escapades that boys sometimes indulge in, the boys are hardened more or less before coming into gaol; but in my opinion it is brutality to put these little ones in the gaol. There is a class of cases that are the result of mere thoughtless-

ness—little escapades without viciousness at all—I have seen little fellows brought in eight or nine years of age, and these little fellows are perfectly harmless and should be kept out of gaol contamination altogether; but the majority of the boys are quite equal to the old criminals in the gaol; they are up to all the mischief imaginable.

Q. You would require to have a very minute sub-classification in order to reach perfection, would you not? A. I think so. I will give you one class alone as an illustration. We have persons waiting trial and we have a place for them. Amongst them you may have perfectly innocent parties—men who are perfectly guiltless of crime but who may be weak-minded and have no great moral strength, and you may have the most vicious criminal in the community there waiting trial, so that really there is no classification at all.

Q. It is a misnomer to call that classification? A. Yes.

Q. When we visited the gaol there were 68 women in custody. How many of these were of loose character so far as your knowledge extends? A. The great mass of those we get are old prostitutes, and I do not think it makes an iota of difference whether they are huddled together in one room or not. I certainly think there is a chance of reformation of the prostitute class, by prolonged and rigid isolation and incarceration, but only that.

Q. You think that running them in and out of gaol accomplishes no good? A. Now, you have hit upon the most important thing of all. Thirty years ago, under the old inspector of the government of the Canadas, this was brought to my attention before my appointment to the gaol, and it seemed to me that the system was altogether wrong; so I pointed it out. They said, "If you can give us statistics that we can act upon we will take steps to have it put an end to." I made out a list and gave the names of thirty women under 30 years of age who had been convicted 30 times on an average, going out and coming back with unfailing regularity, the time between each incarceration being just about three days; but after supplying them with the particulars I heard nothing more about the matter. I fought and fought and applied to grand jurors and anybody I could influence at all, but I have never been able to get anything done. I gave it up; I am glad, however, that you asked the question. I have given a good deal of thought to this, and I will give the reasons for the belief I hold. I hold it impossible to reform anyone who has acquired drunkenness, or any vice in less than a considerable period. No one ever reclaimed such persons in a short period. The present system of sending them to gaol for a month prepares them for renewed debauchery when they come out, and for further debauching those with whom they associate. They come in weakened and worn out with dissipation. They get doctored and polished off, thoroughly cleansed, well fed and receive medical treatment, and are ready for another bout, and thus they go on; they come in batches and they go out in batches. They are all cronies. You just give them an opportunity of debauching more persons and getting lower down themselves, and at last they land in the gutter or die drunkards.

Q. Now, what is the practical remedy for this? A. The practical idea is this, that the length of imprisonment of this class of people should be proportionate to the number of offences. Until they get to the state in which they are utterly incapable of being kept from viciousness and then they should be restrained during the rest of their lives. They are a nuisance to society, a nuisance to themselves. I contend that the present institutions might be improved and made to a large extent reformatory if the law were altered so as to permit the magistrates to give this kind of punishment. I do not think that this class of people should have any other accommodation than is provided now. If you only avail yourselves of the accommodation you have got it is all you want. I look upon the drunks that we have down in that gaol as a harmless class of people on the whole. They are kindly dispositioned and not evil-intentioned and would not harm anybody. They are not vicious people and they would reclaim themselves if they could, but they have no opportunity of doing so. There has never been a man down there who has had

an opportunity of reclaiming himself. A large number of them, if they could only be kept in restraint, and engaged in some useful industrial work, would in my opinion be reclaimed.

Q. But it is said their families would suffer? A. Take the history of this class of people down at the gaol. There are none dependent on a great majority of them at any rate.

Q. Would you give them a fair amount of work? A. Undoubtedly. In my opinion you can do nothing for a man unless you employ him and occupy his mind.

Q. Would you recommend an indeterminate sentence in respect to these people? A. The indeterminate sentence depends so much upon the judgment of the superintendent of the prison. Some might exercise good judgment but some might not. I do not think I would allow them to exercise their judgment except within certain limits.

Q. What are your views in respect of heredity in its relation to crime? A. I cannot help believing that there is a tendency to particular crimes or particular vices which is communicated by heredity, besides the general deterioration which may manifest itself in vagaries and excesses in various ways. I believe there is more than this; I believe there is a direct tendency to particular vices. I mean to say that I believe the child of a habitual drunkard will inherit the tendency to drunkenness.

Q. But do you think it is governed by a general law of nature? A. Oh, they may not inherit it. I don't mean to say that they must necessarily do so.

Mr. JURY.

Q. Do you think that there are some natures who take to thieving because it is their pleasure and excitement; just the same as another man would go to a horse race? A. This is a class of people who come from a debased class in the community. There are many of them persons who by habit and education have not got a proper sense of right and wrong, and when they start with this defect they derive pleasure from acts of theft. These acts are a pleasure to them, the same as poaching is to a man who is fond of his gun, or other forms of vice to those who pursue them. Then there is such a thing as a taste for liquor; or it may manifest itself in two ways—it may manifest itself in the ordinary appetite, which, being gratified, leads ultimately to drunkenness; or it may manifest itself in the mental arrangements which constitute the mania of which Dr. Clarke spoke. I believe in this form of mania, although I was hounded down some years ago by the *Globe* newspaper for doing so. I was accused of having given evidence that a man had died of a disease that did not exist in name. It is recognized by all men now that there is a sort of mental condition—this form of insanity, this disease of which Dr. Clarke spoke. I have seen dozens of the class myself.

Hon. Mr. DRURY.

Q. Do you think that inebriate asylum treatment of drunkards has been of any practical use in reclaiming these men? A. I would not like to answer that question, simply because I do not know the facts. I do not hesitate for a moment to say that if these institutions are thoroughly well managed so as to ensure that the unfortunate drunkard does not get drink, and he is kept a sufficient time in them, they cannot but have a good effect.

Q. Do you recognize drunkenness in any form as a disease? A. In some form it is a disease, the mania of which Dr. Clarke spoke is I think a disease. The same as I think every form of insanity is a disease—a disease of the nervous system; but I would not call ordinary drunkenness a disease. The liver becomes diseased, and other organs of the body, but I cannot call the ordinary drunkard a diseased man; drunkenness is not a disease with him.

The CHAIRMAN.

Q. If a father, after he arrived at years of maturity, acquired the habit of drinking, and followed that up by frequent drunkenness, would what was a habit in the father become an impulse in the son? A. If the son were begotten after he acquired the habit I think he would acquire a tendency to drink; and to a certain extent the appetite would be transmitted.

Q. What do you believe to be the chief causes of crime in civilized communities? A. I could not specify any one particular thing, it is impossible. You have to take in civilized countries so many elements into consideration. You have to consider the condition in which the parents bring children up and the association in every way. I can say with reference to drunkenness that I answer it in the negative; I don't believe it is a cause of crime to the extent it is said to be.

Dr. ROSEBRUGH.

Q. That is directly? A. No, as regards crime. Taking the reports of the penitentiaries of Pennsylvania, compiled with the greatest care by eminent and competent men, I have one in my mind in particular—a penitentiary prison—and the great criminals burglars, men who set out to earn a living by wrong doing, the men who are to an extent trained in wrong-doing—the question was put how many of these are habitual drunkards. Not one was the answer. How many were occasional drunkards—about thirteen, about thirteen out of five hundred. How many educated—the best or the worst are educated; their education is their only stock in trade. I entirely differ from the opinion that education is going to produce a reform in these matters.

Hon. Mr. DRURY.

Q. Do you think that the bulk of the penitentiary population is educated? A. No, I would not like to say that.

The CHAIRMAN.

Q. Do you think that it is desirable to introduce to this country these imported children that we hear so much about? A. I think it is a most unfortunate thing to bring this class of people here. They are defective; they are not useful members of the community, either mentally or physically. A boy may pass an examination and nothing in his body may show a defective organization; but I know they have the defective organization all the same, and they are constitutionally defective children in mind and body. They come from the lowest parts and from the most degraded classes. Their parents are diseased and they have hereditary taint.

Q. A large number of lunatics are committed to the Toronto gaol every year. Have you any remedy to suggest so that that unfortunate state of things may be avoided? A. The only remedy is to provide sufficient asylum accommodation so that they may be sent to the asylum instead of the gaol. I do not see how you are to avoid putting a person who is insane into some confinement. It must be some place of confinement where they can be kept under control. It is all very well to say you may get two doctors to certify them at once; but you cannot treat them in that way. You have to watch these cases to see what they are, and it may be two or three weeks before one can satisfy himself as to the condition of a person said to be insane; and what are you to do with a person apprehended away, say in Peterboro', or in some other country place. You have nowhere to put him except in gaol. I have spoken strongly upon this subject myself for twenty-five years. I recollect the words I used were that the system is a disgrace to a civilized country. I have known a man in this gaol who has been strapped down to his gaol boards for more than a week or ten days. He tears down his clothing and you can do nothing with him. He should not have been sent there at all after he was certified as insane; but they are often kept in gaols long after they ought to be removed. I insist upon it that these poor people should never be brought into the disgrace of the police court: there are some who have

delicate feelings, quite capable of feeling their position keenly, and the idea of dragging them into the newspapers and making heartless remarks about them is no credit to the community.

Q. You think it possible then, that with a few rare exceptions lunatics could be taken direct from the family to the asylum? A. I am quite satisfied that the great majority of them could not be so transferred because you could not get the knowledge, the information necessary to enable you to do this, and you don't know where you are going to look for information as to the case. The insane are sometimes very cunning, and the insanity is intermittent. You are at a loss regarding them.

Q. Is not gaol custody sometimes better than that of the family? A. Always better. They know they are under control. Sometimes they quite recover under the gaol treatment. I have had one or two girls within the last week; one was sent home quite better, and another is quiet and calm now. Frequently they go away quite restored.

Q. As a matter of fact, Dr. Clarke only proposed to send them to the asylum on probation, so that instead of having the preliminary observations made in the gaol they might be made in the asylum? A. Yes, but it means bringing these people a long way to the asylums. I find that a great deal of good has been done in the common gaols in the way they have been cared for. The only trouble is, you have to put them into a cell. If there were a large room in the nature of a hospital, and facilities afforded to apply asylum treatment—the gaol surgeons throughout the province have a very excellent idea in regard to insanity—the system might be very greatly improved in that way.

Q. You have no hospital for the insane in connection with the gaol? A. No. I have protested against this, and I protest still. We have got an accumulation of cases, there now and I do not think they ought to be allowed there one day. I would discriminate, I may say, between cases that come in voluntarily and those sent in there. I do not know that it would be a safe thing to send a person always to the asylum direct. You must recollect it is not a difficult matter to get a certificate for insanity. It is easy to persuade people sometimes. I do not think that the persons sent down to the gaol are under very great disadvantages, all things considered; they are well cared for, but it is not a satisfactory state of matters.

Present: A. F. Jury, Esq., in the chair, Hon. T. W. Anglin, and Dr. Rosebrugh.

ALEX. LANG, Gaoler, Barrie, Recalled.

Mr. JURY.

Q. I understand that you have a statement which you wish to add to the evidence you have already given before the Commission? A. I have. While giving my testimony on Wednesday I forgot to say that the appointment of the turnkey and matron by the sheriff instead of the gaoler is a great evil. The fact of the turnkey receiving his appointment outside of my power makes him think that Jack is just as good as his master, more especially if he happens to be a lazy disobliging man. When I made the appointments I had no trouble whatever. That change was the only thing that ever brought any disgrace on the management of my gaol, and it did result in some very bad conduct. I also produce some statistics on the Scott Act question, showing the intemperate state of our county during the three years prior to the Scott Act, and also the state of affairs under the Scott Act. From the 1st of May, 1882, to 30th April, 1883, there were committed to the Barrie gaol 68 for drunkenness, and 73 vagrants: 1st May, 1883, to 30th April, 1884, 95 drunks and 98 vagrants; 1st May, 1884, to 30th April, 1885, 83 drunks and 253 vagrants. Then the Scott Act came into operation. From the 1st

May, 1885, to the 30th April, 1886, there were 14 drunks and 54 vagrants. From the 1st May, 1886, to the 30th April, 1887, there were 33 drunks and 45 vagrants. It is quite plain to every thinking mind in the land that were it not for the inordinate greed of money, tempting men to laxity of moral principle, this abominable traffic would soon be swept out of existence. Then every poor, hungry person would have bread; thousands of bare-footed children would be comfortably shod, and all grow up respectably; degradation, poverty, train wrecking, brawls and murders would all disappear with the death of whiskey and beer; criminals would soon be unknown in all our land; peace would reign in all our borders, and prosperity would dwell within our walls. I further wish to say that my residence is a very unhealthy residence, as my sleeping room is nearly over the hospital corridor.

JOHN CAMERON, Gaoler, Woodstock, President of the Gaolers' Association, Recalled

Mr. JURY.

Q. You have some matters that you wish to bring before the Commission in addition to the evidence you gave in London some time ago? A. Yes, I wish to bring under your notice some resolutions passed by the Gaolers' Association, of which I am President I hand in the resolutions: First, that the Government take the whole management and supervision of the gaols under their own control—a system now adopted in England—for the purpose of securing better government, discipline and classification of prisoners, unification of system, and an end of the evil of divided authority now having control. Secondly, the proposition to hand the gaols over to the county councils would be a retrograde movement, as it would prevent proper classification, discipline and unification of system in the province, and end in every county having a system of its own. Third, the system of the Government appointing the gaoler and the sheriff appointing the subordinates is wrong. The responsibility ought to rest with the gaoler, as the gaoler is responsible for the efficient management of the gaol, and the appointment of the subordinates ought to go with the responsibility subject to the approval of the Inspector of Prisons. Fourth, the Government should fix a maximum and minimum salary to be paid gaol officials, according to the number of prisoners committed or work to be done, and not leave this subject to the whims of the county council. Fifth, the gaol officials to be allowed a certain number of statutory holidays each year. Sixth, that a better class of residences be provided for gaol officials. Seventh, that the Government introduce a system of promotion as a stimulus for vigilant gaol officials. Eighth, the sanitary condition of the gaol and gaoler's residence should be more strictly enforced. The law now governing the gaols is too unwieldly and cumbersome from variety of authority having control, and not in accordance with modern ideas of prison discipline, and there is too much red tape. The anomalous condition of the appointment of the officers of the gaol is one of the most unsatifactory features of our gaol management. While the Government appoints the gaoler, and the sheriff appoints the subordinate officers, you cannot expect to maintain proper discipline. There are no other offices in the county served in the same way. It has a tendency to weaken the influence of the gaolers, and prevent their carrying out proper discipline.

Q. What is the impression you wish to convey? A. I wish to convey the idea that as the gaoler is responsible for the gaol, the responsibility of the appointment of his subordinates should rest with him, subject to the approval of the Inspector.

Q. Are you fined for the escape of prisoners? A. No, we are not fined, but we are liable to be dismissed by the government at any time for anything that occurs in that way. For my own part I have men appointed to my gaol who are not fit for their business—men who drink, and I would not keep them there five minutes if I had my own will. There is no one who knows better than the gaoler himself, the qualifications of his men. If the gaoler is not fit for the post let the government change him and appoint a better man.

Q. What is your next point? A. The next point is I want the government to fix a maximum and minimum salary for gaolers according to the number of commitments; so that we shall not be subject to the whims of the county councils. Every year, pressure is put upon the county council to economize and they threaten to cut down your salary. To shew the necessity for this change, I may say that the Brockville gaoler had 179 prisoners committed during 1889, and he gets $1,000. There is the Ottawa gaoler with 640 prisoners getting $650. The Brantford gaoler with 405 prisoners gets $650 a year. The Berlin gaoler with 120 prisoners gets $650 a year. The Pembroke gaoler with 75 prisoners gets $600, according to the fixtures of the county councils.

Q. Now the next point? A. I think the gaol officials should be allowed a certain number of holidays every year. Now if we take any holidays we have to hire somebody in our place. We ought to be placed in the same position as other government officials, who have statutory holidays.

Q. Could you not leave the gaol under charge of the turnkey for the time? A. That might answer for some people, but it would not answer as regards me. Then the regulations say that the gaoler must be there, and if he is not there he has to find a substitute. I think the government ought to find a man in the gaoler's place the same as the banks do when the manager goes away, and the same as other government officias have.

Q. Anything else? A. Then the government should introduce a system of promotion in the gaols where a man could look forward for elevation as a stimulus to a vigilant and good man to do his best.

Q. Have you any other suggestions? A. There should be a better class of residences accorded to gaol officials. All that we ask the government to do is to keep us as well as the prisoners. If things are not right round the gaol, if there is anything that is not in accordance with strict principles of good sanitation, the inspector condemns it at once, but he never applies the same rules to the gaolers' dwellings. Coming to other matters, I would recommend the appointment of truant officers to look after children who do not go to school, because all the scalawags and rascals come from the people who play truant, and because the condition of men and boys is such that if they are not employed at something good and useful, they must be employed at mischief. If you allow a boy to run about the town and not go to school, he is spending his time in some mischief you may depend. There is one more thing; I think the government ought to make it compulsory for every county or union of counties to have a poorhouse for paupers, to prevent the gaols being filled up with paupers. If this were done, nearly all the gaols of the province would have facilities for proper classification of prisoners.

Q. Have the Gaolers' Association discussed all these matters? A. Oh, yes.

Q. Don't you think that one result of the change of system that you propose would be the abolition of a large number of the county gaols. You don't imagine that the government would maintain all these gaols as they are now with the small number of prisoners that there would be after the establishment of poorhouses? A. That might be, but the gaols that were maintained would be under proper management.

Q. Have you any other recommendations? A. I may just say I am a firm believer in the theory that crime can be traced to three sources—idleness first, liquor next, and sensuality next.

Q. When you say idleness, what do you mean? A. I mean a man who trifles away his time without doing any useful work for himself or anybody else. My experience with these tramps is that they are men who work on public works—railways, and the like—and they draw their money, and as soon as they get it they cannot work any more until their money is gone, and then they wind up their summer by applying for assistance, become destitute and thus get into gaol.

Dr. Rosebrugh.

Q. I presume that you approve of the suggestion of the Prisoners' Aid Society passed at the last annual meeting, viz., that the cellular system which is the only efficient system of gaol management will probably never be introduced into the province, unless the initiative is taken by the government? A. I approve of the cellular system to a certain extent, but not too long. It is just as much a part of man's life to be social as anything else, and it is a considerable punishment for him to be kept alone in a place where he could not speak to anybody else. I would approve of it while a man is awaiting trial, and I would approve of a certain amount of classification, and so on; that is, putting one or two together; but a man might suffer seriously from the effect of long solitary confinement.

Alfred Kitchen, Gaoler, Brantford, recalled.

Mr. Jury.

Q. Do you agree with the recommendations which have been made to the Commission by Mr. Cameron, President of the Gaolers' Association? A. Yes, and I corroborate what he has said in connection with the working of the present system.

Dr. Rosebrugh.

Q. You are a member of the Gaolers' Association? A. Yes.

Q. How many members are there? A There are about twenty or thirty. There was quite a large number of them met in Toronto.

Q. You are here representing that association? A. Yes.

H. Nesbitt, Gaoler, Peterboro, sworn.

Mr. Jury.

Q. How long have you occupied the position of gaoler? A. For about seven years, before that I was turnkey for fifteen years.

Q. Have you any boys who have been brought out from the old country by Dr. Barnardo or Miss Rye? A. I do not think so, we have very few. We have one of those homes down there, but we get very few.

Q. Are many put out in the town of Peterboro? A. Not very many, but there are a good number in the district.

Q. What is the general opinion about these boys? A. I cannot say much about it There are some of the boys, I know, very industrious; two or three who have come under my notice.

Q. Do you think that the spread of crime is due to the fact that classification in the common gaols is defective? A. It may to some extent be due to that.

Q. Have you sent many prisoners to the Central Prison and Mercer Reformatory? A. Oh, yes; quite a number.

Q. Does this enable you to make a better classification than you otherwise could do? A. Yes; but it is only those who are sentenced there we can send.

Q. How do prisoners view the Central Prison? A. They don't like to go there; they would far sooner go to Kingston because there is better discipline and harder work at the Central Prison. At present they take no prisoners sentenced for less than six months unless they are sentenced directly.

Q. Have you any men who come back to you after they have served a term in the Central? A. Oh, yes; they come back to me.

Q. How many inmates have you now who would be suitable for a poorhouse if one were established? A. Five or six who are constantly with us, but there are a large number of others who come in for shorter periods.

Q. Have you any secular or religious instruction in your gaol? A. They have what is called the "Laymen's Association," who visit the gaol every Sunday morning.

Q. Have you any library in connection with the gaol? A. Yes; but it is a pretty old one now.

Q. Are the fifty committals as drunkards chronic drunkards? A. Some of them are. They are generally a burden upon their families.

Q. Has sentencing these men to the common gaol a beneficial effect upon them? A. I do not think it does them any good at all. I think it would be better to establish a prison on the lines of an inebriate asylum for men of this class. It would probably have a deterrent and a more beneficial effect.

Q. What do you think is the chief cause of crime? A. That is a broad question. I think intemperance is the principal cause. Another great cause is improper training of children. When children don't get proper moral training they are liable to fall into crime; then I think lack of education is another cause.

Q. Are most of the boys and young men that come to your gaol illiterate? A. A large proportion of them are. Most of the boys now can read and write a little. When boys are allowed to go about without being at work that has a bad effect upon them

Dr. Rosebrugh.

Q. Now, supposing you had a poorhouse for the destitute, and all prisoners sentenced for over a month are sent to the Central Prison, would that give you sufficient room for classification? A. I think it would for the male prisoners, but I think we ought to have another ward for females. Since the Mercer Reformatory was established there have been very few prostitutes sent to gaol. At the present time we have one in.

Q. What do you think of the Government assuming control of the gaols of the province? A. The county council is so liberal in our county that I do not think the change would be any great improvement, but I suppose other counties are not in this position. It might be better, but at the same time I am satisfied with the arrangements as they are now.

Q. Were all the boys sent to your gaol really vicious boys? A. No; I think they ought not to have been sent to gaol. Some of them were sent to the reformatory by the police magistrate, and we had them until they were removed. Others again were let out on suspended sentence.

Q. What effect has the treatment at Penetanguishene had upon these lads? A. It seems to have been very good; they are now good boys. I think one of them learned tailoring and he is quite an industrious man now.

Q. Do you know anything of the effect of sending girls to the Mercer Reformatory? A. I think it has a good effect. I know of some who have been sent there and who have reformed afterwards.

John Coulson, Gaoler, Welland, recalled.

Hon. Mr. Anglin.

Q. You desire to make a short statement? A. Yes; I wish to say that I endorse the recommendations of the Gaolers' Association as submitted by Mr. Cameron, and cor-

roborate his evidence. I understand that the regulations are that a gaol should never be left with less than two in charge ; consequently there is no opportunity for the gaoler going away for a time without finding somebody to take his place. I should also like to add in reference to the gaolers' dwellings, that in many cases they are very unhealthy, and are very little cared for. In my own case I had typhoid fever in my house for a good many months at one time, and I attribute it entirely to the unsanitary conditions of the premises, but I am now much better off. I think gaolers ought to have a certain number of holidays in the year.

TORONTO, November 12th, 1890.

Present —J. W. Langmuir, Esq., Chairman ; Hon. Chas. Drury ; Hon. T. W. Anglin ; Dr. Rosebrugh ; A. F. Jury, Esq.

FRANCIS S. SPENCE, Secretary of the Dominion Alliance for the suppression of the liquor traffic, sworn.

The CHAIRMAN.

Q. How long have you occupied the position of Secretary to the Dominion Alliance ? A. About six or seven years.

Q. What in your opinion is the chief cause of crime in the Province of Ontario ? A. I think drink, strong drink is the chief cause. It is not at all confined to the towns although it may be more manifest there ; but there are facts that make it absolutely clear that the cause operates very extensively in the rural population.

Q. Can you tell the Commission what proportion of the commitments to the gaols and places of custody is due to drunkenness ? A. I can give you the exact figures with reference to the Toronto police court. The total arrests in Toronto last year were 11,587. Of these 5,541 were for drunkenness and disorderly conduct, making, you see, about 50 per cent. Then if you take other offences, in which drunkenness generally forms an element, such as assaults, of which there were 650, cruelty to animals, disturbing public worship, felonious wounding, keeping or frequenting houses of ill-fame and disorderly houses, insanity, indecent exposure, indecent assault, malicious injury, manslaughter, murder, neglecting to maintain family, obstructing police, rape, shooting with intent to kill, suicide or attempted suicide, trespass, threatening and vagrancy, you get 2,209 more ; making a total number of offences more or less through drunkenness of 7,650. A number of cases of offences against the person with which I have come more or less into contact have led me to come to the conclusion that drink is an important factor in leading to their committal. Crime against property is not in such a large proportion due to drunkenness. There are certain offences against property, such as trespass, which might be largely due to drunken characters who get into trouble.

Q. What are your views in regard to the mode of dealing with those committed for drunkenness and disorderly conduct ? A. I do not think that the orthodox penalty of a dollar and costs does any good whatever. These cases simply swell the charge sheet of the police court.

Q. Do you think that commitment to the gaol for a month or two, and then setting the prisoner at large, has any good effect ? A. It operates as long as they are in gaol. It has much better results than fining a man, for this reason, that it takes him away from liquor for a longer time and gives him an opportunity of recuperating and it strengthens him to resist temptation.

Q. What proportion of the commitments for drunkenness to the Toronto gaol were women ? A. The total number of drunk and disorderly persons committed to the Toronto gaol last year were 4,570 men and 871 women. Of those women a large proportion were of the prostitute class.

Q. Do you think that extended periods of confinement would have a good effect upon that class ? A. That would depend entirely upon how they were treated during their confinement, upon their occupation, and the influences brought to bear upon

them; and this fact would also be determined to some extent by the light in which this confinement was looked upon, whether it would be regarded as reformatory. I think the effect of going to gaol is bad upon a great many characters and dispositions, and this bad effect extends to drunkards. I may say that the only cases of genuine reformation amongst drunkards that I know of have been brought about by the careful management of friends, and by these persons being kept away from temptation. I don't like the general herding together that the idea of an inebriate asylum conveys.

Q. If the Government of the Province were to purchase, or set apart, three or four hundred acres of land and to erect thereon buildings not exactly of a prison character, but sufficiently strong to hold men and women for any period for which they may be committed, if the inmates physically capable were kept constantly employed in farm work and gardening during the season, and required to do as much work every day as their strength would permit; if in addition to the farm and garden work suitable industries were provided within the walls at which those unfit for outdoor work as well as those who could not be trusted outside, and upon whom it may be necessary to impose restraint could be employed at all seasons, and at which all the inmates could be employed when outdoor work was interrupted; if persons convicted of drunkenness a fourth time were sent to this institution for not less than six months, the sentence to be increased in regular progression on every subsequent conviction until it reached the maximum of two years, and if this institution were looked upon as an industrial reformatory, distinct altogether from the gaols, would you regard this as being a step in the right direction? A. As you have outlined the plan now, at first sight it strikes me very favorably, but, of course, it is a matter that would have to be considered in detail before a definite opinion could be expressed upon it. I was going to mention the case of a man in gaol now, who is begging his friends to get him a cottage on some farm away in some remote part where he would not be subject to the temptation of city life. Your plan, as I say, strikes me favorably, but it does not touch that class who have not yet got to be criminal drunkards. The majority of the drunkards don't go to the police court for a year or two. The young men who are having a great time in the city now will go there in a few years, but you want something to reach them at present; to reclaim them before they are too far advanced in their downward career.

Q. But in a scheme of this kind we would also provide for voluntary admissions, that is to say, the institution would be available for drunkards who voluntarily sought admission, or whose parents or relatives thought it advisable for them to be sent there. Power might be given to a judge on the application of relatives to have drunkards committed compulsorily for a year or two to this institution? A. That seems to me to meet the case I have in my mind. If your plan could be carried out I think it would accomplish a great work.

Q. Do you think there is hereditary drunkenness? A. I do not think there is. To my mind, the inebriate who has acquired a drinking propensity acquires it as a result of his own habit. I suppose that while the tendency is to a certain extent hereditary, the habit is not. The thing is simply this, the habit of inebriety must have experience to create it. The taste for it, or the craving for strong drink is not hereditary, but is the result of habit. The nervous system in the case of the inebriate has been so shattered as to produce an inordinate craving for stimulants. In one man it will be a craving for one thing, and in another a craving for another. When parents have broken down their nervous system children will be born with a depreciated nervous system probably, and there will be a craving on their part for relief of some kind. If they accustom themselves to alcoholic stimulants this hereditary tendency or craving will produce habits of inebriety. The child may have a tendency to narcotics, alcohol, morphia, chlorine, anything of this kind, once he has made it a habit to indulge in those.

Q. I suppose you will go so far as to say that if the child of drunken parents falls into habits of intemperance it will be much more difficult to eradicate the disease in his case than in the case of children whose parents were not drunkards? A. Oh, yes, because you begin your reformatory treatment probably with a constitutional

nervous defect and it will be much harder to eradicate this than if the nervous defect had been acquired.

Mr. JURY.

Q. Don't you think that through poverty people who if well off would never become intemperate are brought to this kind of life and that their poverty is the cause of drunkenness and not drunkenness a cause of their poverty? A. I think that poverty and destitution have a strong tendency to make the sufferer become an inebriate; but following out the first part of your question, I would say that destitution in a home may not lead persons into drunkenness or into crime. I know some very poor people who are struggling hard and successfully to bring up their children in a proper way, and it is not likely that poverty will in their case lead them into immorality or drive them into crime.

The CHAIRMAN.

Q. Of those committed to the gaols and lock-ups who have come under your observation, do you think that any large proportion are supporters of families? A. Oh, I think that the families of the habitual drunkards who are sent to gaol do not suffer to a very great extent through their commitments, I think they suffer more through the drunkards, being at large.

Q. What effect do you think the present license system of Ontario has with regard to the prevalence of drunkenness amongst those who live in slums and alleys; or do you think it is the best plan that can be adopted in order to decrease drunkenness? A. I have got some facts and figures that can perhaps answer that question better than any statement I could make. I have taken the records of the parts of this Province which adopted the Scott Act a few years ago, with the invariable result, I may say, where the Scott Act was in operation, that the commitments to the gaol for drunkenness decreased fifty per cent; while in the surrounding counties, where the Scott Act was not in force, drunkenness increased. There are two groups of figures, and they shew the results both as regards the counties that adopted and those that did not adopt the Scott Act. I have taken here two groups of counties, those coming under the Scott Act in 1886, and those that came under it in 1885 and remained under it during the years 1887 and 1888; the whole are available for the purpose of comparison. I have here the record of those counties for the years 1887 and 1888 when the Scott Act was in operation, and of the same counties for 1883, 1884 and 1885 when it was not in operation. You will see from these that the commitments during 1887 and 1888 dropped down invariably fifty per cent as compared with the preceding years:

—	1883.	1884.	1885.	1887.	1888.
Elgin	92	82	57	25	29
Kent	23	26	18	7	9
Lambton	75	105	130	38	64
Lanark	9	7	6	9	4
Leeds and Grenville	19	135	80	24	31
Lennox and Addington	18	20	6	8	7
Northumberland and Durham	21	26	26	6	12
Ontario	10	1	4	0	0
Peterborough	71	30	27	11	26
Wellington	93	49	32	22	21
Totals	431	481	386	150	203

Here are the records for the same years as regards eight counties that adopted the Scott Act in 1886 and 1887, and repealed it in 1888, with the results for the year 1889 :

—	1883.	1884.	1886	1887.	1889.
Bruce	10	3	2	6	8
Dufferin	0	1	3	3	4
Huron	5	4	4	0	2
Norfolk	18	17	6	5	17
Oxford	28	51	28	0	65
Renfrew	17	27	2	2	4
Simcoe	87	99	35	16	46
Dundas	8	9	1	4	29
Totals	173	211	81	36	175

These figures shew in a remarkable way the decrease in the commitments during the years 1886 and 1887 as compared with 1883 and 1884 when the Scott Act was not in force, and as compared again with 1889 after its repeal.

(Mr. Spence also put in evidence a table showing the number of commitments for drunkenness in the years 1884 and 1887 in eighteen counties which changed entirely from license in 1884 to Scott Act in 1887, the aggregates being 692 in the former and 186 in the latter year ; a table showing the number of commitments in 1884 and in 1887 in fifteen counties under license in these years the aggregates in this table being nearly alike but the numbers in some instances varying in an extraordinary degree, as Essex 103-45 , Thunder Bay, 705-148 ; York, 1,661-2,166 ; and a table giving the commitments in seven counties under license in 1884 and under the Scott Act in 1887, the aggregates being 969-941.)

I will now give you the commitments for drunkenness in seven counties from license in 1884 to Scott Act in 1887 :—

—	1884.	1887.
Brant	58	112
Carleton	314	286
Frontenac	75	108
Lincoln	39	21
Middlesex	445	404
Muskoka and Parry Sound	16	8
Victoria and Haliburton	20	2
Totals	969	941

Here is a statement of the amount of liquor imported into the Northwest Territories of Canada, and shewing the total convictions for drunkenness for the years 1886 to 1889 inclusive. The figures in one case are taken from the Inland Revenue returns and in the other from the criminal statistics. These figures shew that in the year 1886 the amount of liquor imported under permits was 20,408 gallons; convictions for drunkenness 0, and total convictions of all kinds 60. In 1887 the quantity of liquor imported under permits was 21,636 gallons; the convictions for drunkenness 10, and the total convictions 37. In 1888 the quantity of liquor imported under permits was 56,288 gallons; convictions for drunkenness 36, and total convictions 151. Last year, 1889, the quantity of liquor imported under permits was 151,629 gallons; convictions for drunkenness 41, and total convictions 232. There is this to be borne in mind, that the returns for the liquor imported are the returns for the calendar year and the others are for the twelve months ending September of the years to which they refer.

Q. But they would average themselves? A. Yes. Before leaving this question I would like to make this statement, that it is our experience that invariably crime and especially drunkenness, was reduced fifty per cent. undr the Scott Act. I have a statement here which I would like you to look at shewing per capita the consumption in the different provinces of the Dominion, and it varies directly with the extent of the territory in the province that is under local option legislation; thus the per capita consumption for the separate provinces for the year 1889 was as follows:—Prince Edward Island, entirely under the Scott Act less than $\frac{3}{4}$ gallons; New Brunswick, nine counties under Scott Act out of fifteen, slightly more than $1\frac{1}{2}$ gallons; Nova Scotia, eleven counties under Scott Act out of eighteen, about $1\frac{3}{4}$ gallons; Quebec with much territory under municipal prohibition $3\frac{3}{4}$ gallons; Manitoba nearly all under local prohibition, and the Northwest Territories under prohibition weakened by permits $3\frac{3}{4}$ gallons; Ontario seventeen counties under the Scott Act part of the time, out of thirty-eight, more than $4\frac{1}{2}$ gallons; British Columbia entirely under license with little limitation, more than 10 gallons.

Hon. Mr. Anglin.

Q. Do you think that these figures give a fair idea of the amount of liquor consumed? A. I think they do.

The Chairman.

Q. Do you believe the high license system, and the reduction of the number of licenses would be a step in the right direction? A. I think that a system that would reduce the number of licenses would be good, but I do not think that the fact of the licenses being made higher would interfere with the amount of liquor consumed by the community.

Q. By an increase in the price of the license would you not get rid of some of those men who now keep those lower class establisments and have their places taken by a better class of men? A. The license would be increased; that would mean that they would have to do a larger business to make it pay.

Mr. Jury.

Q. Since the licenses were reduced in the city of Toronto from 224 to 150, has there been less liquor consumed? A. I am inclined to think that last year proportionately with the increase of the population there has been less than before the reduction took place. I think that to-day as compared with the time when Toronto had twice as many licenses and half the population there is much less liquor consumed?

Q. That is not answering my question; I know there is a vast reduction; at the same time there is an alarming amount of drunkenness in Toronto; I think at least, if you take our population, every tenth man in our city habitually gets drunk—absolutely drunk. There were 5,000 police court drunkards last year, and I don't think it is extravagant to say that there are as many drunkards outside who do not appear before the court as there are repeaters amongst the 5,000 who are brought up before the magistrate. We have a population of 200,000 in Toronto and of that number there are 50,000 men; therefore I say that every tenth man in Toronto is a drunkard.

Dr. ROSEBRUGH.

Q. You say that high license would not necessarily decrease the amount of drunkenness in the community? A. No; my experience is that the most respectable saloons in Toronto are the ones that sell most liquor, and increasing the cost of the license simply leads the proprietors to push their business so as to make up the increased cost. The more disreputable the saloons are made the less will be the consumption, because they will be frequented by the lowest class of drinkers, or by habitual drunkards.

Mr. JURY.

Q. But is not the consumption greater at the more respectable houses because they have a larger proportion of guests. If you reduce the number of licenses will not men drink at these low dens which are in no way controlled by law, and will there not be more liquor sold in the aggregate than if you had a fair number of well conducted houses? A. I do not think that the dives and the lowest places make many people drunk.

Dr. ROSEBRUGH.

Q. What are the objects of the Society of which you are Secretary—the Dominion Alliance? A. Our object is of a two-fold character. We aim at the suppression of the liquor traffic, and to secure this through total prohibition; but at the same time we are anxious as far as possible to enlighten public opinion and to obtain a restriction of the traffic and the enforcement of all prohibitions and limitations, and we seek as much as possible to secure the election to all legislative and executive political positions of representatives who are known, avowed, and trustworthy supporters of the principles and methods of the Alliance. We aim at total prohibition, but we are glad to avail ourselves of the assistance of all auxiliaries in our work even although they do not go so far as we would like.

ROBT. CHRISTIE, Inspector of Prisons and Asylums, sworn.

Mr. Christie, before giving evidence, drew attention to reports which had appeared in the "World" and "Telegram," to the effect that the chairman had condemned in rather strong terms the system of compiling the gaol returns. These reports attributed to the chairman the use of the expressions "abominable" and "worthless." Mr. Christie contended that they were as well compiled now as they had ever been, and that as regards the figures themselves they were supplied by the gaolers and whatever inaccuracies might appear could not be charged to the official staff.

The Chairman explained that while he had no recollection of having used the words attributed to him in the papers, he had commented upon the fact that the gaolers in some instances sent in returns classing recommittals only for the year under review, whereas others gave the recommittals for the whole period for which they were available; in other words, in some of the gaols the recommital of prisoners meant recommittals for one year only; whereas in others, they meant recommittals for the whole period over which the gaoler's knowledge of the man extended.

Mr. Christie remarked that he merely wished to set the matter right and that if the reports were improperly compiled it was not the fault of the Department.

The CHAIRMAN.

Q. While we are on this subject, I would like to know whether the recommitments should extend over all the years of the prisoner's history known to the gaoler, or whether they should be for the current year in which you ask for the statistics? A. I would take them for the current year, because I do not think that with the changes continually going on in the personnel of the gaol there is the opportunity of obtaining the information. Naturally the records go back for a great number of years, but with one man following another, I question whether they can be worked out with any great amount of accuracy.

Q. We will take the case of a man brought up for some serious offence. The judge wants to know whether this man was in gaol before. "No"; the gaoler would say

he was not, because he had no entry of a recommitment against him. I think it is the gaoler's bounden duty to keep a record as far as he can of each individual committed to the gaol. You know that in France they have a system now which is almost absolutely perfect, and is of great service in tracing the prisoners who go to different gaols. In order to have gaol statistics of any value, it is necessary that a record should be kept of the history and characteristics of the individual prisoner. It came to our knowledge during our investigation regarding the Brampton and the Milton gaols, that the vagrants and tramps go round a circle from one gaol to another, but the gaolers could not tell after a tramp had completed his circle that it was the same man who had come back again. I think that if there is to be any systematic way of stamping out this vice of vagrancy it will be found necessary to have a record book at each place with proper entries made. You must know whether a man is a habitual tramp or only a tramp under force of circumstances; and if he is a habitual tramp you would deal with him more severely and give him the stone pile? A. The French system of measurement is the only one so far as my knowledge extends by which you can guarantee with absolute certainty to identify every man who passes through your hands. Every feature, every distinguishing mark on a prisoner is registered against him, and I believe the measurement is extended from year to year in such a way as to be a perfect record of the individual man, but I doubt very much if you can bring this into practice here. I have seen it in practice in Joliette—they have probably introduced there a more perfect system of measurement than anywhere else on the continent.

Q. They have a very complete system at Elmira now, and we saw the principle in operation at Detroit. Now we are all engaged in the same work. We are a Commission appointed by the government for a certain purpose. We are expected to make certain recommendations, and if these are adopted you are likely to be the Executive officer who will carry them out? A. Well, I will give you any assistance I can.

Hon. Mr. Drury.

Q. The report which we received of the common gaols shows the number of commitments this year, but it does not give any of the previous records of the man? A. No.

Q. Do your regulations require that the gaoler should go back over previous years to see whether a prisoner had been convicted previously? A. I do not think it was ever conceived to be necessary.

The Chairman.

Q The Government direct us to make enquiries, obtain information and make recommendations. One of the best recommendations we could make, is that judges and police magistrates should have before them the records of all prisoners who are to be dealt with by them, because to deal properly with drunkards or other habitual offenders under any system, you must take the previous commitments into consideration. These would show whether a prisoner is a habitual offender or a person who has fallen only in one or two cases and the magistrate having this information would know how to deal with him in the most effective way. If the principle of indeterminate sentences is to be brought into operation it will be applied chiefly to first offenders and it is of the utmost importance that the most accurate statistics should be supplied? A. The difficulty is, these men go from one part of the country to another, from gaol to gaol, and the different gaolers don't know them.

Mr. Jury.

Q. How about instantaneous photography? A. We photograph them in the Central Prison, but I do not see that the principle could be extended to the common gaols.

The Chairman.

Q. Coming now to the question of drunkenness, what proportion of the commitments to the common gaols in 1889 were for drunkenness and disorderly conduct? A. This is the report, and so far as we know it is quite correct. I find that the total number was

12,531, and of that number 4,777 were for drunkenness and disorderly conduct. Of course you are aware that under this head we embrace not only drunkenness but disorderly conduct.

Q. What are your views as to the best method of dealing with that class of our gaol population? A. I am of opinion that no good results from incarcerating men in the gaol for drunkenness simply. I think that system only tends to debase men, especially the man who is a new beginner who has fallen into vice. I have been even more impressed with this idea within the last year or two than I was before. When a man becomes associated with gaol life he gradually, as his vicious instincts develop, comes to look upon the gaol as a resting place for a time. His friends forsake him, his comrades forsake him, and he judges that a little isolation in gaol would be the right thing for him; but while this goes on the gaol does not benefit him morally in any respect. It simply is a place for him to recuperate, and it renders him more capable of doing violence to his moral conduct by drink when he goes out. A poor fellow with the D. T.'s thinks I'll stop short if I only get into gaol, and then when his term expires he goes out and comes back again and will get the same remedial work applied to him.

Q. Do you think that many of this class are of much help to their families? A. I think that the great majority of them are waifs of the tramp class, without any family relationship amongst them; and in the next place, those who have families depending upon them are of very little assistance in maintaining those families. After the first or second offence I think it is quite possible that they are a burden rather than anything else upon the family.

Q. Does this apply both to men and women so far as your observation goes? A. It applies to both, but particularly to women.

Q. Do you think that female drunkards who go to gaol are largely prostitutes? A. I cannot answer that question. So far as the Mercer Reformatory is concerned—that is the only place that has come directly under my experience—I am inclined to the opinion that alcoholic liquor is taken largely as an assistance to crime, to fortify and brace up those who are not absolutely vicious in themselves.

Q. Take burglars for example? A. You scarcely ever find a drunkard a successful burglar. He cannot afford to be. He must be alert and an expert in his work, and consequently he is not a drinker unless he abandons his work for a time and lives upon his pelf; then he goes back to his old habits, but when he commences burglary as a profession he stops drink or he is caught. Now in regard to women, I am of opinion that any immoral conduct is evidence of the character being defective, and I would only judge of the predilection to any particular vice or crime as an evidence of the weakness of their character. A person who will drink to excess is liable to commit other excesses. The drunkenness, both in the case of a male and female, I think, is more an incentive or stimulant to help them through than a result of an innate desire for the stimulant itself.

Q. Then what is the object of the drunkard taking to that career? A. I think it was very well put indeed by Mr. Spence. I think it is the deficient condition of the man that impels him to drink. It is not merely a taste but a desire. I have been told by many for example that they blame the liquor; they say, "if I could leave liquor alone I would be all right." I have said to them when they have been talking in that way "Why don't you leave it alone," and the reply has been "I wish I could, I have been promised help from every source if I would do so but I cannot do it." It simply means a weak nervous condition, and the drinking is continued in order to tone up.

Q. You think then that the continued commitment of these people to the common gaol does no good at all? A. No good at all, it aggravates their condition.

Q. Have you thought out any scheme that would remedy this state of things? A. I have thought of the subject a great deal, but I have never come to a satisfactory con-

clusion in my own mind in regard to this particular phase of vice, for this reason, that the conditions of society are so varied that it seems almost impossible to get a general law which would take hold of each case satisfactorily and work it out. As you pithily observed yourself, there is an institution in Guelph, doing good for a certain class; but the class you want to reach is the poor. The difficulty is, that you would find quite a number of people who would not declare themselves inebriate. We will take the case of a pretty well-to-do man, either a mechanic or farmer. If a public institution were established with the object of reclaiming men of that stamp, he would not go voluntarily, nor could you under the existing law make him do so compulsorily. The difficulty is to reach the middle class and the lower class inebriates. A good many of this poorer class go to the gaol. I should say four-fifths of the drunkenness that is now punished in the gaols is on the part of the lower classes.

Q. If these 5,000 drunkards were removed from the common gaols of the Province, would that enable you to improve the classification for those who remain? A. Yes, that is one great reason I try to find a remedy for this state of things.

Q. I outlined a scheme to Mr. Spence. Do you think that that kind of treatment would be better than the common gaol custody? A. I do. I think it would be immensely better. I think it would be a saving to the country at large within three years; but I would not establish more than one such reformatory and I would make it experimental. It does not follow out my idea of confinement exactly and it would be necessary to insist upon these men being kept entirely away from liquor. There are other questions that are closely connected with this. You are aware that we live in a democratic age and it is a question whether or not the popular vote of this country, or of the United States, would consent to the establishment of an institution of this kind, would submit to the burden of the expenditure necessary to make such a provision general over the country.

Q. But are we not supporting this class in the common gaols now? A. Yes, we are doing more. I maintain that the expenditure is greater in that way than it would be were this class to be dealt with in the way you suggest. We had a statistical return prepared which was submitted to the legislature shewing that the expenditure was greater in distributing charity in small sums through municipalities than it would have been, provided there had been erected in these counties poorhouses I recollect making up the figures myself shewing this to be the fact Now I have thought over this matter a good deal and I have thought the outlet was in this direction. The first thing is to get at some really practical scheme that you can carry out. You have got popular opinion to consult, you have the necessities of the case to consider in all respects, and I do not believe in working up a condition of matters that would involve a very large amount of outlay or expenditure where it could be avoided, in view of the fact that poor, honest people have to bear the larger share of this expenditure. I have thought of this plan; take the common gaols; they are now in the centres of the several districts. A great outcry has been raised and rightly so, with reference to the vagrants who pour into the gaols from all quarters The weak, the old, the feeble, and in fact, all classes are thrown into the gaol. The gaols were not intended to accommodate the vagrant population, but it is possible that the country might become disgusted with too elaborate a system and under certain circumstances it might not be justifiable to create a system that would involve too great an expenditure in the maintenance even of the poor. I believe in every effort being made to keep up the moral status and condition of the country, but there are limits even to providing for the poor, the destitute and the dissolute A great cry in this connection has been raised as to the incarceration of lunatics in the gaols. That the lunatic should be thrust behind the bars in a cell to associate with felons and criminals is one of the things that I regard as a disgrace upon the country, but I do not see why they should not be provided for in this way. Take the Toronto gaol, and take the Ottawa gaol. There is just as good accommodation for lunatic patients who may be temporarilly committed there as in the asylum itself. There is a matron there; there are attendants and there is classification; not simply classification of the inmates, but there is a grading as regards their position; in fact, the place where this class are kept can be regarded as a prison only

because it has the name. It would be a central place where, if there were another wing or ward provided so that the isolation may be perfect, you would have all that is required. The gaoler is trained to his business and the matron is trained to her business; and if they are approved persons there is no reason why lunatics should not be incarcerated in the gaol until a decision is arrived at as regards their condition, and until it has been demonstrated that they are proper subjects for an asylum.

Q. Do you think that as regards lunatics and in some instances destitute people, the gaol should be for that class? A. I am going to refer to the drunkard. It is an important consideration when you come to deal with the relief of the gaol, what you are going to do with him. Under existing arrangements you have got the gaol and you must take him there.

Hon. Mr. Drury.

Q. Do you think that the gaol is the proper place for confining men who cannot be looked upon in any sense as criminals, men who have been picked up in the streets without a proper warrant and placed in the gaol? A. I think not. I think a warrant ought to be issued in every case.

Q. Would you think that the gaoler at Milton had exceeded his duty in admitting people upon a blank warrant filled up by a constable? A. I think that the mere fact of the constable bringing a man under such a warrant is not enough. These proceedings I think are perfectly unjustifiable.

Q. If we are to seek a practical solution of this difficulty by establishing one or more such institutions as the chairman has spoken of, have you figured out what this would mean by way of cost to the country as compared with the present system? A. I have never figured it out. I do not think it would cause an enormous increase of cost.

Q. Do you think that in some cases it might result in the reclamation of these unfortunate men? A. Well, that is a subject that I scarcely consider myself capable of dealing with, because it involves a great many questions. I doubt very much whether in the case of a person who has become a thorough inebriate there would be much chance or much hope of accomplishing entire reclamation within a period of six months.

The Chairman.

Q. Take a man who is run down physically and has become as well, a moral wreck, put him in an industrial reformatory for two years; tone him bodily until he has found that he can live without whiskey, has found that he can work, is there not a chance that a few may in that way be saved? A. Oh, yes.

Q. And you consider that the proposed scheme would be infinitely better than continued recommitment to the common gaol? A. Certainly.

Q. Would you recommend the Ontario Government to try an experiment in the way suggested? A. I would; in view of the fact that this institution for the incarceration of drunkards would be only an experiment I think it would be a good thing to have.

Q. And we will have your support? A. That is another thing; you know that the expenditure of the country and the policy of the Government have a very great deal to do with these matters.

Q. Yes; but I propose that this institution will take the form of a farm and a market garden with other kinds of employment inside. I think these various means of occupation for the prisoners would go largely towards paying the expenses of the establishment? A. Well, I believe they would.

Q. I think you have tried to introduce industries into the common gaols. Have you succeeded? A. No, you can only do it on the same plan as they had in England and Scotland—get oakum for them to pick and keep them employed at that.

Hon. Mr. DRURY.

Q. The only difficulty in the matter to your mind is the question of expense? A. I would think that such an institution should have a kind of county responsibility and county character. Say that groups of counties should combine for its support.

The CHAIRMAN.

Q. Do you think that any county would undertake a work of this kind? Must its establishment in the first instance not involve considerable expenditure, and would the institution not be of a provincial character? A. That is true, but there are nine counties that have undertaken houses of refuge and industrial farms.

Q. Have you given much consideration to the scheme which has been proposed for the cellular confinement for prisoners in the common gaols? A. I have thought a good deal about it. I favor it so far as it applies to penalty or punishment, but not for the reformation of prisoners. My idea is this—in fact I may give you the only case where I have seen it attempted and that is in the Eastern Penitentiary in Pennsylvania.

Q. But that is more in the nature of a penitentiary; I am speaking of the common gaol system? A. The same reasons would apply to the common gaols. I understand that in the reclamation of prisoners, which is one of the features of your enquiry, the means that would be employed with the greatest success would be the most natural means and in obedience to natural laws; therefore I do not think that those who have isolated this class from society by having a penalty of seclusion imposed upon them need think that they are going to better them to any extent by denying them what is one of our highest privileges—association. I think it does violence to natural laws to this extent, especially amongst the young; and except in the light of a penalty it cannot be considered a measure that would meet the approval of thinking minds in that direction

Q. Do you think that it would be a just thing to isolate a prisoner, committed for trial, after one Assize, and who would have to be kept isolated until the next Assize Court? A. It would be agross injustice. I would impose it as a penalty in the Central Prison for example for infraction of the rules in order to maintain discipline in the institution; but where an institution is established and conducted not as a place of punishment but as a place for holding prisoners, or as a reformatory I think it would be altogether astray. I think that in many cases where men or women have led immoral lives and that sort of thing and have weakened the system, weakened the brain power and depleted the system generally, you would have more idiocy and insanity than you could reasonably expect under any other system.

Q. Do you think that the evil effects of improper classification under the present system are as great as they are sometimes said to be? A. I don't. My experience has been rather the reverse. Where there has been proper classification and intelligent regard has been paid to that classification such classification has worked satisfactorily, but classification in the ordinary sense is sometimes a failure and a fallacy. Take young lads incarcerated for the first offence and put a decent old tramp with them, in nine cases out of ten that would prove a benefit to young lads; therefore I say that cast iron classification, such as some people advocate, has an injurious effect. I have thought the matter over with some degree of care and I will give you my views upon it. My idea of classification is that there ought to be a gradation of institutions; that effects a much better classification than any that you can adopt within one building. I may explain it this way. The nearer you follow the natural law and the moral law in the reclamation of prisoners the more good will you be likely to accomplish. I take it then that you would begin with the young culprit who has not become an adept in crime. The best way to take remedial measures against crime is to begin with the young. I would begin with the boys and provide an institution for such a population. If I were drawing up a scheme that would work to my mind satisfactorily to a greater extent than any other, I would in the first place establish compulsory schools as I would call them. There seems to be a great aversion to the name industrial schools as if they were criminal schools, and

to give them that name some think would be to brand a boy or girl with a certain amount of bad reputation from which they could never get relieved. These would be for the youngest juveniles. Then I would have next in grade the industrial schools, after that I would take the reformatories—both the Refuge branch of the Mercer Reformatory and the Reformatory for Boys, and I would say that these ought to be another grade. I would then take such an institution as the Central Prison, and I would have as the final grade the institution at Kingston. I would if I had my way sentence no boy or girl more than three years to any institution, because I think if you give them longer association there than that you give them an institution character, which is a thing to be avoided as much as possible. The internal economy in the matter would be a considerable point. Boys sentenced to or placed in this institution for three years would receive clothing and food and all other things necessary, and would be graded there as nearly as possible according to age and intellectual ability. I do not mean to say that there should not be training of a literary or educational character; I would say it should be training; that is a better word and more expressive than education, but it would be school nevertheless. I would give parents an opportunity of placing children there for a specific fee, as well as afford opportunities for sending boys or girls to such a place by the ordinary process in court. I would give a parent the right to place a refractory child there. I would place this school pretty much in the line of the position occupied by our public schools; I would separate them, but I do not think that in Ontario you would require a great many of them, and I would make them available for the community at large. I would take from this primary school a large amount of the adverse feeling that parents have against sending their children to be incarcerated in an industrial or reform school. I would have it a school as much as possible, and I would take the restraint away as far as I could, but I would have the boy or girl educated in a place where the associations would not be bad. I would make it available both for incorrigibles and those who have committed first offences—all boys between the ages of seven and ten; of course children of that age could not commit very great offences. Then take the next grade, the industrial school; you would have to provide there industrial employment of various kinds, but in its furnishing you would require it to be still a school; you would require to have farming operations, gardening and a little industrial work, machinery and other requisites for the development of the character and industry of the boy to fit him for an active life. The main idea would be to bring him up just as he would be in an ordinary average home in Canada. Then we come to Penetanguishene Reformatory. I would have the discipline there of the most rigid character, and the training there would be in keeping with the advancing age of the boys, parallel almost to the collegiate institute training outside. You thus provide by gradation of institutions for the various ages of the young who are likely to fall into a criminal career. The first would take children from seven to ten, the next from ten to thirteen, and then the next from thirteen to sixteen. You thus get the grades thoroughly established. I do not say that you would secure uniformity of character in this classification, but in the ordinary schools the children are mixed; some are better than others, some boys are trained much more easily than others; there would be all this to study, but I would not sentence a child if I had the making of the law to more than three years in any institution whatever, and if a boy still proved incorrigible after he had reached this institution I would, subject to the authority of the board or by reference to the committing magistrate or judge, have him transferred to the next in order, but I would by no means let him get beyond his classification, and I would adopt the best means that I could suggest for keeping him within control.

Q. What effect has institution life upon children? A. I think it has a first-class effect when there is care exercised. At such an institution, for example, as the Boys' Home on George street, an immense amount of good is done. And take the Orphans' home on Dovercourt road, that institution has done an immense amount of good to my knowledge, simply because the managers have taken an intelligent view of their duties. The Boys' Home has placed in the country a great number of boys, and I don't believe that there are two per cent. of those taken from this institution—of those who have been there from the time they were infants almost, up to ten or twelve, that are not doing

well. I have seen letters, I may say, by the score, written intelligently and kindly on the best of terms to the matrons of these institutions, and I know that the same thing prevails as regards the Dovercourt road institution. Institution life brings about a dependent spirit amongst the children if it is carried too far, and that is my reason for limiting the period of committal to these establishments to three years.

Q. Yes, but they progress from one to the other? A. That is, if criminal actions are still maintained.

Q. You think it possible then to have a gradation of public institutions for youths without fostering the spirit of dependence that is sometimes characteristic of that kind of life? A. I think so. But the proper persons must be engaged in the work, and proper discretion must be exercised.

Q. Don't you think that continuance in the family relation, if it could be accomplished, would be better than institution life for such children as you have in view? A. Certainly, the nearer to home life you can get the better.

Q. In Massachusetts they have what they call the probation system, under which children are absorbed into the family relation without knowing anything of institution life. Don't you think that this system would be a good thing to adopt here? A. I think the Massachusetts system would be the best thing we could have if it is properly carried out, but I doubt if the population of Canada would be able to support this. So far as the placing of the child in the compulsory or primary school is concerned, I would only keep it there for whatever time it might appear to my mind to be for its advantage. Three years would simply be the maximum.

Q. Do you think the associate system best for a reformatory? A. I do think that possibly, with all its evils, it is the best. I believe in the cottage system throughout in every institution, until you get to the higher grade, such as the reformatory, but then we must have the means of restraint. I would favor the cottage sytsem in a reformatory, provided you have the proper paternal supervision. I do not think that this could be adopted at Penetanguishene, with the present population of the reformatory for boys. I do not think that it would be well to treat that class in this way. The boys would have to be educated up to it. I think with a very large per centage of the boys, if they had been brought up to this system, it would have been all right.

Q. At Penetanguishene you still retain the walls around the institution? A. Yes.

Q. At the State Reform School of Michigan there is every opportunity for running away, every facility, and it is only a short distance from Lansing; but the boys never think of doing so? A. I admit that the training at Penetanguishene is not in that direction, and you get from five to seven per cent. of the boys that could not be trusted. I think that those who could not be put upon their honor could be reduced to three or four per cent., and that for eighty or ninety per cent. of the others, the cottage system would be best.

Q. Do you think that the great distance of the reformatory from the centre of population, is a good thing or a bad thing? A. It is an advantage in many ways. For example: If industrial work were carried on to the extent that it should be, it would be a great deal better if it were nearer the city. But for a primary school it is different, you want fresh air and sunlight, and I think it would be better to be a reasonable distance from a centre of population.

Q. Do you think that it has a wholesome effect upon the management of a public institution of this kind to be in touch with the community; that is, that the people who pay for its maintenance should be able to see how it is managed? A. I think it is a very great matter indeed. I would not place it such a distance away as to isolate it.

Q. Don't you think that Penetanguishene is isolated? A. I do. The land there is very poor, and it is in a ridiculous position in every respect. The only redeeming feature is that it is in a good healthy place for the boys.

Q. Is the technical or industrial training of the boys there what it ought to be? A. No. Although I may say this, that notwithstanding its disabilities there are few institutions that do a greater amount of good. I have made it a point to enquire regularly. Some seasons there are quite a number absorbed into the population who do well, and then perhaps there are some who have to be sent to the Central Prison. I believe the warden says that when he gets a bad boy from Penetanguishene he is a very bad boy indeed.

Q. Do you think that if the institution were made more attractive by the adoption of the cottage principle, and by providing industrial training, and industries at which the boys could find useful and interesting employment, that this would be taking a step in the right direction? A. I do. I would take Penetanguishene Reformatory and put it in the middle of a 400 acre farm, and I would have workshops and industrial work of various kinds going on, and give the boys an aptitude with their fingers and hands at the occupations to which they could apply themselves through life. I would prepare them at least for mechanical and for farm work and kindred occupations, when their time expires and they go out.

Q. How many boys learn farming there? A. They all learn to drive horses and set potatoes, but that is about the extent of it. They plow a little.

Q. Do you think that it is fair to these boys to give them only a little farm and gardening employment? A. I think their opportunities of learning much are very moderate indeed. I believe that quite a number of them are willing lads who take their part in manual labor of any kind; but they could be taught much better if there was a wider field for their agricultural training. I think, however, that nine out of ten of these boys ought to be taught industrial work. The large majority, eighty per cent. of them, come from the city, are entirely averse to farming life in the country, and when they are placed in the country they never take kindly to a country life, but find their way back to the cities again. But I have met a great many from the villages who have gone into farming, and they have gradually accumulated a little money and are doing very well.

Q. Do you think it would be a good plan if we tried to get our waifs in the cities and towns into a country life, and absorbed into the farming community? A. I think so, except where family ties interfere.

Q. In regard to Penetanguishene Reformatory, have you ever employed any ladies about the place? A. No, I have tried once or twice female supervision there, but with no success, or very little. I thought at one time, and I still think, it would be very desirable to have a matron associated with the other officers, to oversee a certain portion of the work, and to give the younger class some idea of inside work.

Q. Don't you think that could be better done under the cottage system? A. I think it could; with a number of boys of the smaller ages.

Hon. Mr. Anglin.

Q. As the law stands at present, is there any supervision whatever, or any charge or care whatever, over the inmates of the reformatory after their term has expired at the institution? A. None whatever.

Q. They are simply thrown out into the world again? A. Yes, but I may say that in every case where there is a possibility of doing so, the superintendent of the reformatory has made the greatest efforts to secure for the boys a home and a position, and there are not a great many who go out of that institution who have not some prospects in that direction. There are quite a number in the institution who are pardoned by

executive clemency, and of all the evils that afflict that institution I think that having to appeal to Ottawa for the discharge of a boy who may simply be committed because he is incorrigible, is the worst. We spend months and months sometimes before we can secure a boy's discharge, and the effect is most pernicious upon the entire establishment. There ought to be some supervisory board, or power, entrusted with this.

Q. Don't you think it would be very much better for the boys, if merely for the sake of discipline, that they could be given to understand that they could earn a remission of their sentence by application to study and by good behaviour? A. No doubt of it. But the law is practically prohibitory of any such action. The statute does as it were open up the course, but we have to appeal te Executive clemency all the time.

Q. But is there not a law by which under the indeterminate sentence system you can shorten the sentences of the boys as a reward for their good conduct? A. No. We don't understand that Act exactly in that light. We have got an Act which I have largely taken advantage of in apprenticing the girls from the refuge branch of the Mercer Reformatory. The Act provides for boys and girls.

Q. I see that you have apprenticed girls, but I do not see that you have apprenticed boys? A. It is simply because we have not had the machinery in existence to find out proper positions for these boys.

The Chairman.

Q. There is a law, and it rests with the authorities to put it in force. If the Dominion Government does not do its duty, the onus will rest with them? A. I never understood that the law was operative unless with the sanction of the Dominion Government.

Q. You may keep a record of the boy's conduct, and say to him that under the rules he can earn so many good marks, and that a report will be made to the inspector, and his discharge will be asked for? A. If this could be done in this way it would be all right, but we have to make representations to Ottawa. The boy expects that he is going to get his discharge upon acquiring these marks; the probability is that he is kept on until he is released by the efflux of his time.

Mr. Jury.

Q. Is it possible to carry out this law without a record of the boy's conduct being kept? A. There is no specific rule about keeping a record. You have to depend upon the observation of the guards. You are to suppose that the guards are correct men, and the record that they make of the prisoner's conduct is the record he must be judged upon. Now I have hesitated to take any measures to promote the establishment of the grading system, especially as the prisoners where a record is made, are to a large extent at the mercy of the guard.

Q. At Elmira reformatory, Mr. Brockway relies upon the records of his guards. If a boy is dissatisfied he can appeal to the warden. Enquiry is made, and the matter is set right at once if a mistake has been made or if the guard has failed in his duty? A. What invalidates the whole system to my mind is the appeal that has to be made to Ottawa. It is not a question that I should care to decide. We can only arrive at it upon the best legal advice. There would be no difficulty as regards a boy's record. The superintendent is always consulted in the event of a petition being presented for the remission of a boy's sentence; and in his report to the inspector he cites from time to time what the boy's conduct has been; whether he has been guilty of any serious offences, or has pursued a progressive course; whether he had obeyed the regulations and conducted himself properly. Although no entry has been made in the books of these facts to any extent, still the superintendent has a thorough knowledge of this boy's character, and is just as well able to make his recommendation from his personal observation, and from the facts he has before him, as he would be if he had the good conduct marks before him.

Q. If you had provincial machinery for thoroughly carrying out the indeterminate system would you then have the record system instituted? A. Certainly.

Q. If it would be necessary to have this system then why not have it now? A. Because I have always had regard to the discouragement and dissatisfaction that the boys would feel when their expectations of a remission were broken down. Their disposition becomes soured and a great deal of harm is done to them, for they feel that they have been unjustly deprived of their right. There is one boy in the institution now for whom I have made two appeals. There is no reason why it should not be the same in Ontario as in Quebec; I believe they have the power there and exercise it, and if I am not mistaken they have it in Manitoba.

Hon. Mr. ANGLIN.

Q. They don't say so. I have written on this matter to the governments of Quebec and Manitoba, but I have been unable to get a satisfactory answer.

Mr. JURY.

Q. Don't you think that these boys could be usefully and profitably employed in the institution in mending the road and removing these big boulders which are an obstruction and an eyesore there? A. If you had seen the place ten years ago you would be able to realize what the improvements have been. I admit there is a good deal that could be done, still we have done a good deal. There has been some work carried out there, but there is no result of it to be seen now on account of the water having washed over it.

Q. Those big fellows have time for mauling each other about at their amusements there, and why can they not be employed in imparting some of the beauty that is to be seen in the surroundings of the warden's house upon the grounds outside? A. They have done all the building that has been going on round there, and when you consider that they have to be at school half the day, and the other half they are employed at farming, tailoring, shoemaking and everything else, you will see that there are not many left for these other improvements. They do a considerable amount of work in connection with the buildings, improvements and one thing and another. I admit that you might be under the impression from what you saw there that more systematic improvements might have been carried out in some respects, but if you had a thorough knowledge of what has been done there by the boys within the last five years, you would say that they have been fairly well employed, taking into account the time they have been occupied in school work.

Q. Oh, we had it all pointed out to us, and we had, moreover, the opportunity of comparing it with many other institutions on the other side, and the contrast was very remarkable between the surroundings of that institution and the surroundings of the other institutions that we have visited? A. I have no doubt of it, but look at the disadvantages we labor under. Talk about blasting stone, would you give the boys nitro-glycerine to use in dislodging those ponderous boulders?

Q. I don't speak of these but of the stones that we saw on the road there. At some institutions that we visited we saw the boys removing as large stones as any that there were on that road? A. Well I do not think we could make matters very much better there.

The CHAIRMAN.

Q. I take it for granted, Mr. Christie, that you are in favor in the first place, of the establishment of a farm in connection with the reformatory, second, of the cottage system, third, industrial training, and fourthly, you would like to see better machinery for getting the boys discharged? A. I am in favor of all these. I have referred to those matters over and over again in my reports.

Q. Speaking as a penologist, do you think that it is desirable to have a separate

prison founded by the Dominion Government for first offenders, between the ages of nineteen and thirty? A. I have no doubt that it would be a most desirable thing, because those young fellows are still in a formative age.

Q. Is it fair to the accidental criminal, the man who has committed some crime in the heat of passion—that he should mix with old and hardened offenders? A. No, it is not.

Q. Would it be well for the Dominion Government to establish an institution of this kind, upon something like the Elmira principle? A. I think it would be an excellent thing, In the first place it would relieve the Central Prison and the Kingston Penitentiary of a certain class of inmates, and it would take away a portion from the Penetanguishene Reformatory and reduce the population there.

Q. You believe that for a great number of the young fellows who have committed crimes, who are not really criminals at heart, but are made criminals by association with these hardened felons, such an establishment would be desirable? A. I do.

Q. I suppose many a man is sent to the penitentiary who is not by any means a bad character? . Yes, and he wishes with all his heart that he had not been foolish enough to commit the act. I think it would be a wise thing for the government to give such a man a chance, and that it would in the long run be one of the greatest measures of reform that could be accomplished.

Q. Do you think that the judge, upon hearing the evidence; ascertaining the facts of the case, and finding out all the surroundings under which the crime was committed, would in many cases prefer to send a young man of this kind indeterminately to the reformatory instead of to the penitentiary? A. I do.

Q. Now, give us your views of the chief cause of crime in this community? A. I don't know that I would like to define it, further than to take it generally. All crime is disobedience, the one thing you have to inculcate is obedience and I would try to inculcate this in the first place. Disobedience is the exercise of self-will and takes various forms; you see it developed in the want of parental control. It is the want of parental control which in ninety-nine cases out of a hundred I believe leads to crime. The parents don't look after their children or they are brought up in bad homes in which the parents lead a dissolute life, and when you find parents of that kind how can they be expected to inculcate moral principles in their children. I have no great sympathy with the idea that heredity has a great deal to do with the development of crime. Natural instinct will no doubt guide a criminal to a certain course, and it will develope in a certain direction He will have idiosyncracies in a certain line, and if he is a debauchee his line will run in that direction; another man may develope into a smart burglar or something of that kind, or he may be good at some particular handicraft. I have a great deal of sympathy with the idea of culture. Take the law of nature with regard to the analogy, physical and mental, in man; that shews you what can be done simply by the natural life; by the development of the natural qualities of mind and body, but, as I have said, the great question of crime hinges upon obedience and proper parental control. I think you may succeed in almost seventy-five per cent. with the youths, where you cannot redeem twenty-five per cent. of those who have become hardened into criminal habits in life.

Q. Don't you think then that it would be a wise thing on the part of the Government to spend money in reclaiming the young? A. No doubt; but not so much to reclaim as to keep them from going wrong. I said when you commenced with me this afternoon that drunkenness was often charged with being a cause of crime, and I attribute to it to some extent the production of crime. While alcohol is to blame for stimulating people to crime, I do not suppose that it is the initiatory step in a dissolute life, and I do not think that it is the cause of any very great mental trouble; I have questioned a great many medical men who are familiar with this matter, and I have

the assurance of a great many scientists whose specialty lies in that direction, that the brain diseases, generally classed as lunacy, are attributed to the use of liquor to a far larger extent than they ought to be.

Hon. Mr. DRURY.

Q. Is it not a fact that a great many become criminals because they are drunkards? A. I think so.

Q. For instance, a man squanders his means in drunkenness and debauchery and he takes to crime to make up his losses? A. Yes, and not only that, but his moral nature is debased.

Mr. JURY.

Q. How can you account for cases where children who are exceptionally well brought up go wrong? A. I think it is a question of natural development, and it is difficult to say what may be the individual influences which may have been at work upon them.

The CHAIRMAN.

Q. Are not crimes against the person largely committed under the influence of intoxication? A. I do think that they are very often perpetrated under the influence of liquor.

Q. I want to ask a question, which in your official capacity you may not care to answer. You know that there is an idea abroad in the country that the sooner the government takes the control of the county gaols the better, and that the present hybrid system of municipal and government control is not a good one? A. I have no objection to give my opinion on the question, but it is hedged round with so many difficulties that I have not come to a satisfactory conclusion regarding it myself. In the first place, the difficulty of the gaol system in Ontario is its incongruity, its want of uniformity. There are no two gaols alike. Every county starts with the idea that they should have a different gaol from the neighboring county. One of the great difficulties I have had to contend with is the want of structural uniformity in the gaols; and you have to attain that in order to get something like a uniform system. If the counties were without the structures that we have at the present time, the matter could be regarded in a very different light, but there has been a large amount of expenditure under the present system and what are you to do with these properties; are you to do away with the values that are already created. It would be impossible for a government to manage the gaols of this country from a central position on account of the want of uniformity, the want of the adoption in many respects of principles that would have adapted them to the necessities of the people as a whole. I hold to the principle that every criminal is a ward of the government and should be taken in charge, and should be kept under the surveillance of the government without any interference from any other authority. But we are living in a democratic age, and I don't know what government, conservative or liberal, having the control of the expenditures of the province, would care to take up the matter of constructing a new series of gaols without having the views of the people directly before them. Governments now hesitate to enter into any large projects involving expenditure, for they know that there is always danger of their being called upon to answer for them.

Q. Do you think that with some of our small county populations it would be better to have district gaols? A. It would be as well in some cases, but I would like to say, as I pointed out this afternoon, that the county gaol being used for lunatics who have committed no offence, and other persons who have committed no offence, you have all the machinery for putting them in the most convenient form. If you were to take these away it would be a difficult thing to say what is to take their place, and the counties themselves I fear would have great difficulty in determining the question.

Q. I suppose there would be no trouble as regards the counties if the Government paid the whole shot? A. Not a bit. Get the money not from the people but from some other source and it would be all right.

Dr. Rosebrugh.

Q. Group four or five of these county gaols, have one devoted to one class of prisoners and another to another, how do you think that would work? A. I do not think it would work well. I think one of the great reasons for the gaol being in the county is economy. The cost of transfer of prisoners for long distances is great, and if you had only a few district gaols and great distances had to be travelled from the place where the prisoner is arrested to the place where he has to put in his punishment, the expenditure involved would be considerable.

Q. On the other hand, if the counties adopted the poorhouse system and the Government established an inebriate industrial asylum for the drunk and disorderly classes, it would largely relieve the county gaols of the overcrowding that now takes place? A. It would. I think that if the gaols were relieved of this class of population the drunkards and the vagrants that are now sent there, and who are not a proper prison population, they would be large enough for all practical purposes.

Hon. Mr. Drury.

Q. What has been your experience as an inspector of prisons as regards the willingness of county councils to carry out your recommendations? A. In small alterations and improvements, such as removing dilapidated portions of the structures, there is very little difficulty, and I have experienced but little delay; but with such alterations as have been effected in Toronto, Belleville, and Ottawa gaols, I have had quite a little to do to get them carried out. This has been especially the case at Ottawa where I have had to go the length of threatening a mandamus. I do not know whether you have visited the Ottawa gaol and seen the excellent means for classification that they have there now. That plan was suggested by myself and worked out, and I consider that the Toronto gaol is now a first-class structure. I had no difficulty in getting the committee in Toronto to take in hand improvements that have been carried out there recently. They took the matter up with energy and carried it out well. In Belleville they took a great deal of time to consider but eventually we had the work done. In the Lindsay gaol the people went into it with considerable heart and they added two storeys at a cost of a couple thousand dollars and made small rooms for lunatics and sick people, and thus had a complete gaol. I have never found the authority of the inspector directly disputed, except in the case of Ottawa In other cases I have found difficulty between the sheriffs and the gaolers, but not to any great extent; the sheriff of necessity, so long as he is the chief executive officer, must occupy the superior place; and the gaoler should conform to his wishes. I do do not see how the sheriff can be relieved very much in the event of the Government assuming control.

Q. He has not got the liberty to contravene your instructions? A. I have never found a sheriff do so.

Q. Do you think, where the gaoler is responsible for the good discipline of the prisoners and the proper management of the gaol, that he should not have the appointment of the turnkey? A. Then invert the question, and say that the sheriff is the executive officer and he is responsible for the performance of the duty on the part of the gaoler, can he supervise the institution thoroughly in the absence of his having any authority to appoint the officers?

Q. If a prisoner escaped, would you have anything to say to the turnkey, or would you hold the gaoler responsible, or the sheriff? A. I would hold the man responsible who had been derelict in his duty; the man who was the cause of the prisoner escaping.

Q. Do you think that the sheriff should be called upon to account for the prisoner's escape? A. I do not know that he should.

Q. You would look to the gaoler as the officer in charge? A. Yes.

Q. Then ought he not to have the appointment of such an important official as the turnkey? A. Perhaps he ought. It is not contemplated under the rules that either the gaoler or the sheriff will be aggressive, or take undue action; that would simply cause a hopeless conflict of authority, which would naturally result in injury to the public service. I would, when the turnkey is appointed to his position, give the gaoler an opportunity of expressing his opinion in a quiet way. I would say, here is a new man, if there is anything against him either on account of lack of ability or anything else, state your objections. That I think would meet the difficulties. The gaoler would be consulted, while the appointment itself would actually rest with another authority.

Dr. Roseburgh.

Q. Would you not carry this a little farther and say that the warden of the Central Prison should have the appointment of all his officers? A. I think the same difficulties are involved in the one case as in the other. I think the warden of the Central Prison should have a voice in the appointment, selection or nomination of his guards. He and the Inspector have been largely responsible for the appointments of late years, and I do not think that there is any reason to suppose that they have been bad.

Hon. Mr. Drury.

Q. Is it not a sound principle to suppose that the head of the institution is the best judge of the kind of officers he should have under him? A. As soon as the head of an institution reports against a man and shows that his usefulness is gone, I don't want that man. Want of usefulness or ability in his position is just as bad a defect in an officer as some act of rascality.

Q. Have you printed rules for the Central Prison? A. Yes.

Q. Have you for the Mercer Reformatory? A. No. I'll tell you my reasons. When I came into the position I found a set of rules printed; they were in type; they were corrected and a great many alterations made in them. They had been drawn up and put in form, and were in proof when I saw them. There was a case that required a great deal of investigation. As a result of the enquiry I found that if I adhered to the rules I would have to condemn an officer whose services I did not want to lose, and I thought it would be better to waive the rules. Then in the following spring I commenced to revise those rules again, and another case turned up. A third time the rules were brought up and were in proof, but they got astray and could not be found until a short time before my late colleague's death. I have revised them again and I have had to submit them for the approval of the Governor-in-Council. I shall have great pleasure in handing them over to my new colleague.

Q. What do you do without rules, how do you manage to get proper discipline without them? A. I do not think that there has been any difficulty in the matter of discipline.

Mr. Jury.

Q. You don't mean to say that you have got any discipline there? A. I do not know; I think there is some. I may say this for Mrs. O'Reilly; that there is no person in the country that I would have more confidence in as a superintendent. She has a superior manner, and her influence is certainly good; but there are inmates there that are impervious to almost any discipline.

The Chairman.

Q. Do you think it would be conducive to efficiency in the management of the gaols if you had a system of promotion for the officers, the turnkeys and gaolers; don't you think that the prospect of promotion would be an incentive to the better performance of their duties? A. I do. It is certainly disheartening where a man has performed his

duty in a most satisfactory manner, if he finds that no encouragement is offered to him to qualify himself for a higher post The classification of the gaols is one of the difficulties that we have to deal with in a new country. You have to provide accommodation for the population, both of the present and the future. Some cities and some towns at one period are very progressive, and a few years afterwards they become stagnant. Others again are constantly going ahead. I would certainly approve of classifying and grading all the gaols if it were possible, and of grading the salaries of the officers as well. But a gaol erected five years ago might have been fit to occupy a certain grade then, but owing to the change of circumstances may now be altogether unsuitable for that grade.

Hon. Mr. Drury.

Q. Are the institutions devoted to the care of females under the direction of women? A. That is not universally the case; there are one or two where there have been medical men as superintendents and they have been very successful. My idea is that there should be a medical superintendent for such an institution as the Mercer. I don't mean to say that the present management is not what it ought to be, but I think there should be a medical superintendent: it would vastly improve the discipline to my mind.

Mr. Jury.

Q. There are a large number of people in nearly all the gaols who ought to be in poorhouses Don't you think that some action should be taken to compel the authorities to erect poorhouses? A. Well, that is a matter for the Government to consider. I may say that in this room down below I have fought with all my heart against making it compulsory for the counties to support these establishments; but I have completely changed my views, and I think that every county should be made to establish a poorhouse.

The Chairman.

Q. Do you think that any quicker or better means could be devised for transferring lunatics to the asylum than we have at present? A. I think that is a very difficult question. A great deal of feeling exists against lunatics being kept in the gaols a longer period than is supposed to be necessary. It arises from a good many causes. First, through there not being room in the central institution; the superintendent of the asylum has the right of admission to his own asylum; he has the power of saying whether or not he shall have a patient thrust upon him. He has so many spare rooms in the old form, and he has so many single or double rooms, and you get a suicidal or homicidal patient who might be thrust upon him without his being informed of the history of the case. He is not allowed sufficient time for observation; and you might expect dozens of homicides or dozens of suicides supposing there was immediate transfer from the common gaol to the institution. The reason why I have no objection to lunatics remaining under observation for a sufficient time to allow the local authorities an opportunity of making out the necessary documents and the necessary examination, is that the cases might be watched there: but I think it should only be a day or two at most if the symptoms are decidedly dangerous. All the cases require medical treatment, and where the medical treatment can effect good work, why they may as well have it at the local gaol as anywhere else. You take the old men and women in a similar condition, that curative treatment would not have much effect upon; I think it is not necessary to hurry up in their case.

Q. From what we hear, public sentiment is pretty strong against this amongst people who have no particular knowledge of the circumstances? A. I may tell you how it is created. There was an acute case in one of the gaols and the surgeon wrote up to me respecting it, in order to urge the necessity for immediate action There were six or seven other lunatics in the gaol. It got into the local papers that there were six or seven in that gaol and a hue and cry was raised all over at the dilatoriness on the part of the government. I looked for the papers and we had'nt one, except the one that this same surgeon had signed. He was the means of raising this cry; but it turned out that there was really no ground for complaint at all. I may say that the surveillance is exercised not only because it is necessary for the treatment of the cases, but in the interests of the

patients themselves. I am sorry to say that medical men sometimes give certificates in cases where there is no more lunacy than there is about us, and if great care were not exercised, there would be any number of scandals.

Q. Are there many persons committed to the common gaols as lunatics who are not proper subjects for an asylum? A. There are.

Q. Don't you think that there are a great many old, infirm, decrepit, and weak-minded people whom their relatives want to get rid of and that they sometimes take this means of doing so? A. That is so.

Q. You cannot suggest any plan to get rid of this difficulty? A. I cannot.

Q. How would it do if a kind of reception ward were established in the asylums for this class of patients, where they could be placed under observation for a time, where the medical superintendent would be able to examine them and learn their history, and in a general way make a diagnosis of the cases? A. I think the present system is equally good. This asylum here might have facilities now for dealing with a larger number of cases, but I doubt if even yet they would have accommodation for the reception of all this class of patients direct. I think it would be a good thing if different classes of patients were dealt with at the different asylums. You might take chronic cases to one institution and others, which are likely to be successfully treated, to another—men to one institution and women to another. I do not think it is advisable simply to transfer these lunatics and dump them down at the door of the institution. I may say that we have the accommodation and have had for the last two months for more than our present requirements here, and we will be transferring one section of our inmates to-morrow to the new buildings at Mimico. We will transfer sixty female patients from the Toronto asylum. This will give us accommodation for sixty male patients in that institution and we can balance this up by taking persons from Kingston and Hamilton.

Dr. Rosebrugh.

Q. What class of men should be appointed to the staff of the Central Prison, that is, as regards character and qualification? A. That is a very wide subject. In the first place, they should be men of sterling upright character; examples to the whole community; men of decisive character, level headed fellows, men not given to trifling, not given to familiarity with the officers or the prisoners, men that would realize the vast responsibility resting upon them; one man might do more mischief on this staff than many would do in other positions. They should be strictly temperate; I mean temperate in the ordinary acceptation of the term. I do not mean to say that they need to be abstainers.

James Massie, Warden of the Central Prison, sworn.

The Chairman.

Q. When were you appointed warden of the Central Prison? A. Ten years ago.

Q. Have you had an opportunity of visiting other institutions of a similar character? A. I have visited a number in the United States, and latterly several in England and Scotland.

Q. What is the capacity of your institution? A. In point of cells about 350. The present population is about 340 or 341. The highest number that we have ever had in at one time during my regime was 444; the lowest 250.

Q. Of the prisoners committed to the Central Prison, what proportion are sentenced direct to the prison? A. This varies in different years, but I should say about one half of them. The remainder are sentenced to the common gaols and transferred under warrant. Those who are sentenced to the county gaols are not confirmed criminals; they are largely in for first offences, both felonies and misdemeanors.

Q. Have you any record or book in your institution in which an account of the conduct of every prisoner is entered? A. No; we don't keep a record of every prisoner's conduct. We keep a record of misconduct so far as those who violate the prison rules are concerned, but not of those who are well behaved. You will understand this, that although under the prison rules there is no record kept, there are certain marks against them, and the evidence of bad conduct is the marks.

Q. You have no system whereby a sentence may be shortened? A. No.

Q. Do you think that in such an institution as yours, such a system could be introduced advantageously? A. Well; it could for those under long-term sentences.

Q. Have you many of these? A. Not a great proportion. The average term of sentence is between six and seven months and has been for several years.

Q. Could the indeterminate system of sentence be carried out in your prison with short-date prisoners? A. I think not. The indeterminate sentence would apply in this way. A man commits an offence for which the minimum would be two years and the maximum ten years, and you get them for every offence on the calendar with the exception of murder.

Q. Are you an advocate of the indeterminate sentence in a penitentiary? A. Yes, I think it would be a very good thing. I have looked into it very closely at Elmira and at Columbus, Ohio, and I have seen it in operation in the State of Minnesota. I am a strong advocate of the indeterminate sentence. A man who has abandoned himself to a life of crime between the ages of twenty and thirty, in nine cases out of ten will pursue a career of crime unless he is kept away from it altogether. The only thing you can do is to shut him up and protect society from his depredations. Assuming that the minimum would be two years and the maximum ten, a man goes in on the indeterminate sentence and we have no difficulty in determining his character—whether he is likely to reform or pursue a criminal course. There are certain traits clearly developed in the prisoner that outline what his future life would be; but a man might pursue a different course of life after he is liberated, especially if he is allowed to leave on parole. It works as a deterrent of crime in this way. After you release a man on this system you can bring him back again and keep him for the maximum term if you wish. The experience has been that it works satisfactorily as regards those who are released; that result is claimed at any rate for the system as it is in operation at Columbus, Ohio.

Q. Do you think it is fair to send men who fall into crime through accidental circumstances, to the penitentiary to mix up with old and hardened criminals for long terms; or do you think it would be better to have a prison on the principle of Elmira, under a law which would give the courts the option of sending to it first offenders, between the ages of eighteen and thirty, in order to give them a chance to reform? A. I think it would be well to have an institution such as you have described. To a man who commits a first offence, who is not a confirmed criminal, one month's imprisonment even is of far more importance than a year to a confirmed criminal. The confirmed criminal, it seems to me, expects and looks for it; but a man who, under the impulse of the moment, commits an offence, regards it very differently, and he often regrets bitterly having been so foolish. I think the opportunity should be given as regards this class for shortening the sentence by exemplary conduct.

Q. Do you think that instead of building another Central Prison it would be a wise course to have a prison somewhat on the Elmira principle, established by the Dominion Government? A. I do.

Hon. Mr. DRURY.

Q. From a Provincial standpoint would it not be unfair to the Province if we established an institution for prisoners of that class who would under other circumstances be maintained at the expense of the Dominion Government? A. Yes.

The Chairman.

Q. Do you think that there are a considerable number of prisoners in the penitentiary who would be proper subjects for a prison or reformatory conducted on the Elmira principle? A. I think there must be, but I am not sufficiently versed on the subject to give a definite opinion.

Hon. Mr. Anglin.

Q. You say that the indeterminate sentence could not be satisfactorily worked in the Central Prison under its present circumstances. Would it not be well to have some board or official clothed with power to reward a prisoner who conducts himself entirely to your satisfaction by a remission of a portion of his sentence? A. I would approve of that form of reward. I may say that quite a few have been pardoned and allowed to go out through my recommendation to the Department of Justice, through the Attorney-General, where they were held under very severe sentences for the offences for which they were committed.

Q. Don't you think there should be some well understood system whereby if a prisoner gave such evidence of reformation as was satisfactory to the authorities, he should be absolutely entitled to a remission of part of his sentence? A. If the power rested with the Attorney-General of the Province to liberate a man who earned a remission of his sentence I think it would be a very good thing.

Mr. Jury.

Q. Don't you think this would be likely to secure mere eye service on the part of the prisoner and to make a good prisoner and not a good man? A. Unless it was properly hedged about with limitations it would be unfair. The man who conducts himself best in gaol and who has in view a reduction of his sentence will not violate the rules in his own interest, and in order to make this principle effective it would require to have attached to it a parole system; but I think that with a proper parole law you would be able to make provisions which would meet the case.

Hon. Mr. Drury.

Q. What should be the aim of any proceedings taken against offenders who have committed first offences? A. Punishment should be administered as a corrective and then the treatment should be more largely reformatory. A child commits an offence against its parents; if it is allowed to go unpunished it is an injustice to the child. The same thing applies to a man when he has grown up. There should be a certain amount of corrective measures accompanying the crime and then you have to take into consideration the reformation of the criminal.

Q. Has not the idea of reformation become the leading idea in treating criminals? A. Yes, it has to a great extent.

Q. Do you also think that this Province should follow as fast as possible the steps that have been taken in this direction? A. I think so. In justice to society it should reclaim the wrong doers. We are trying in a humble manner to reclaim them, and we succeed in many instances. Many hundreds pass through the Central Prison who never return to crime. I know large numbers in the city now holding respectable positions who have served their term in the Central Prison.

Mr. Jury.

Q. Were there not always some who never returned to crime again even when prisons were conducted in the worst possible manner? A. There were some certainly, but not nearly the number that there are now.

Q. We know that crime is decreasing all over the world? A. Yes, except in the United States.

Q. Are the number of recommitments decreasing in anything like proportion to the

first commitments? A. I do not think they are. I think the effect of our system is to keep the young out of the ranks of the confirmed criminals; but I do not think that the same attention is being devoted to the old and confirmed criminals. I found in Edinburgh one woman who had been convicted 367 times.

Hon. Mr. ANGLIN.

Q. How does the system of rewards operate in the prisons in which it is followed? A. I can say so far as the Central Prison is concerned, that we have introduced the system of giving men task work. After a man finishes his task we pay him for whatever other work he does. I find that this is a great incentive to men to do good work in the prison.

Hon. Mr. DRURY.

Q. We have heard everywhere that criminals feared the Central Prison. What reason is there for the prisoners preferring the penitentiary? A. That is easily explained. I believe in strict discipline, and I hold to this belief. When I entered upon my duties as warden of the Central Prison I had large sympathies with the prisoners. I thought I could reclaim every man that entered there, but I soon found that I had to apply the principle of punishment. I found that I had to treat them firmly as well as kindly and I then laid down certain strict rules of discipline. That is one reason why the prisoners object to the Central Prison. Another reason is this, I hold to the view that when a man forfeits his liberty, through bad conduct, preying upon society, and is put inside a prison, he should be subject to the regulations under which it is worked. If we were to allow people to send in whatever they liked to the prisoners, those delicacies and little luxuries which so many are fond of, the tendency would be to destroy the discipline which we enforce. The proper position for a prison I think is to make it a deterrent to the commission of crime. I do not think, however, that the treatment should be unnecessarily severe, that you should make the prisoner suffer to any great extent. The dietary of the Central Prison is well cooked but it is not liberal. It is quite sufficient to keep up the system. We give every man sufficient food; in fact, we are obliged to do this to get the proper amount of work. The whole secret of the matter is that every man must work; hard labor is attached to the sentence, and in all cases we insist upon the carrying out of the sentence.

The CHAIRMAN.

Q. Do you find that the delinquent generally abhors labor? A. Yes.

Q. Don't you think that men naturally rebel against discipline? A. They do for a time. In the case of the penitentiary, a man is allowed to do pretty much as he pleases: at least I have heard so. The man who is willing to work and to learn something has no objection in my opinion to go to the Central Prison.

Dr. ROSEBRUGH.

Q. Do you believe in punishment as regards those who fail to perform a fair amount of work? A. I am a Presbyterian, and a strong believer in the Pauline doctrine that, "If any would not work neither should he eat."

Mr. JURY.

Q. You do not allow them to use tobacco in the Central Prison. Don't you think that is one of the reasons why they dislike the prison? A. Yes, it is one of the reasons, I have no doubt. I may explain with regard to the reason why I prohibit the use of tobacco, that I regard it as a luxury, and I do not think it is right that prisoners should have luxuries. Another reason I have against its use is that it is against cleanliness. When the men used tobacco they expectorated all over the floors, and when I prevented this they would take a slice off their bread and use it as a spittoon. These filthy habits on the part of the men were so contrary to my nature that I found it necessary to remove tobacco altogether; and I think that the men are in a better condition of health for it. In very many cases the men when they have gone out have thanked me for arresting and curing them of the habit that they themselves hated.

Q. I don't use tobacco; but if a man who is an inveterate smoker is deprived of tobacco, his punishment would be twice as severe as mine? A. Yes, but tobacco is not a necessity.

Q. There is a paragraph in Mr. Massie's report that does not seem to agree with his statement as to how the men regard the Central Prison. Here is what the report says: "They serve the brief periods" (some of the worst specimens of the criminal class) "usually at outdoor employment then resume their depredations on society and that with invigorated health acquired by the regular habits and liberal fare provided at the expense of the Province, in return for which they do just as little as it is possible to get off with in the shape of labor while in prison, a place which of course becomes to them not a terror but a retreat, and while they follow this illegitimate mode of living they are but pests on society, valueless for any good purpose, whereas if they were sent up under indeterminate sentence and made to learn by a system of grades and marks the value of obedience to the higher laws which ought to prevail in them, and at the same time if they were educated as means have been provided for in this prison and instructed in some one of the trades carried on here, there would be some hope that when ultimately liberated on parole they would be permanently reformed." Does this apply to your prison or to the county gaols? A. It applies not only to the Central Prison but to the penitentiary as well.

Q. According to this you make out that the Central Prison is a pleasant resort for some men and not at all the place of terror that some people have described it to be? A. It is for some men; we have some men who don't want to leave.

Q. Then you are not such a terror as you hold yourselves up to be? A. I think our discipline has a wholesome effect as a general rule.

TORONTO, November 13th, 1890.

Present: J. W. Langmuir, Esq., Chairman, Hon. Chas. Drury, Hon. T. W. Anglin, Dr. Rosebrugh, A. F. Jury, Esq.

Rev. Arthur H. Baldwin, Rector of All Saints' Church, Prof. Goldwin Smith, Hon. G. W. Allan and Mr. W. H. Howland, representing the Trustees and Managers of the Toronto House of Industry, were present.

Rev. A. H. BALDWIN, sworn.

The CHAIRMAN.

Q. I understand that you are desirous of placing some facts before the Commission respecting vagrancy? A. It was on the subject of vagrancy generally that we came here to speak. I will be glad if you will allow me to give some statistics. I have come here and have asked certain members of the Board to come with me to-day, because I have found that in cities of the United States which have three times the population we have, there is only a tithe of the number of vagrants. It seems almost incredible that we had 1,181 tramps last winter in one institution in this city, and that some of these tramps actually stayed for nearly two hundred nights. Three hundred and fifty stayed for one night, three hundred for two nights, and one hundred and forty seven for three nights, and so you go increasing until you come to get twenty and twenty-one staying one hundred and eight nights. I find also that we had last year one hundred and fifty who had been with us the year before, so that you have a regular army of these people. Now, our difficulty is just this, we are obliged to take them in every night, as we do not wish to have anybody in the city of Toronto begging for lodgings. We have a rule that they must be bathed every night. That is one of the provisions upon which we most rigourously insist, and most people know that it is injurious to a man's health to be bathed for 108 nights in unbroken succession. If the baths were cold it would not matter, but we

are obliged, on account of the troubles we have with vagrants, to use hot water. It seems a great pity that these people should be allowed to go in and dwell there and do nothing but cut a little wood, as we insist upon their doing, in the morning, as some return for the accommodation they have received. Last winter we had not so much of this work for them as we could desire, owing to the mildness of the season. We could not send them to the Toronto gaol, because that would be simply making criminals of them, and if once we broke them in to going there, these people would find the gaol ten times more comfortable than our quarters. If you give men a good time in the gaol you are, with the loafing system that is now going on, doing them a great deal of harm. I thought that perhaps this might be a little lever in the direction of prison labor. Of course, if a man taken up for drunkenness and petty theft has a pleasant time and enjoys it more than if he were at liberty, he would be quite content to live in the gaol instead of the House of Industry, but we feel that it would be a pity to send men down there, and especially if there is no work for them to do. We think that something ought to be done to make men who won't work, work, whether they like it or not. This note from Mr. Williamson, the Receiving Clerk of the House of Industry, will give you some idea of the extent of this vagrancy trouble.

"*Rev. A. H. Baldwin,*

Sir, I beg to state, for your information, that during the years 1888 and 1889 there were between 1,400 and 1,500 casual lodgers admitted to the casual wards, and in 1889 and 1890, 1,481, of whom I estimate at a rough calculation about 150 of the same individuals returned a second season.

Yours respectfully,

(Signed) R. M. Williamson.

Receiving Clerk."

In the city of Philadelphia they consider that if they have 27 or 30 vagrants at one time, that is a very large number, and they have, I believe, a million people in Philadelphia. We have, I suppose, about 175,000 inhabitants, and yet we have over 100 vagrants at night.

Q. Do you mean to say that there were only 27 vagrants dealt with altogether in the city of Philadelphia? A. Yes, they only take them in for three nights. They have a place similar to ours there, but not so good. They have just a small house and a large covered yard for the purpose of providing work for the men, splitting wood, and so on. They are not quite so gentle as we are. They turn them out very early, while it is yet dark If they are more than three days there, these vagrants have to go to the House of Correction, and be dealt with in the same way as other prisoners. In Baltimore, with a population of between 400,000 and 500,000, they have no provision whatever for tramps. Here we do everything that humanity can devise. We have a large, though plain building, clean, substantial, nice; good tubs, boiling water, and all that sort of thing for them. They have night gowns, blankets, wire mattresses, beds.

Q. How do you treat a man when he comes in in the first instance? A. We wash him, give him a nights' lodging, then in the morning he has breakfast and then he has to cut a quarter of a cord of wood. If he refuses to do this we refuse to let him in another night. If we could show that there would be some good in sending these men to Toronto gaol, and we could conscientiously do so we would; but once they get there and find that there is no special work to do, nothing but a little pleasant gardening of some kind, it increases their appetite for that kind of life, and this is likely to produce criminals.

Q. Have you noticed whether the 1,400 odd men who have come under your review are chiefly foreigners or native born? A. A good many are from the States, but there are also a good many from different parts of Canada, who flock to Toronto for their winter quarters. A great many are entered as having come from Hamilton. This might simply have been their last stopping place. A great number are strong able-bodied men who are quite capable of earning their living at occupations in any part of the country.

Q. Have you ever enquired whether it is really want of work that has driven these men into this kind of life, or constitutional laziness and a desire to avoid work? A. I fear that it is constitutional laziness with a great many. Not many of those 150 men who came back last winter after they had been in the house the winter before were really desirous of obtaining work. Those who stay over 200 nights are constitutionally lazy men.

Q. Have you noticed whether many of the vagrants who go to this institution belong to the drunken class? A. I do not know that drunkenness has much to do with their position. These men are like bees, they go out through the country in the summer time and they are as great a curse to the Canadian farmer then as they are to us in the winter time. It is idleness that they are looking for and not work. They pretend to be in search of work and when a farmer gives them anything to do they leave him in the lurch and go away at an awkward time. We have 100 people who come to us winter after winter, and then in the summer time go out and feed on the Canadian farmers. I think that something ought to be done to put an end to this state of things, and that was my object in coming here and I am very thankful to these gentlemen who have come with me to-day. Possibly some of them may be able to give you better ideas than myself as to what should be done.

Hon. Mr. Drury.

Q. You suggest as the cure that there should be some means whereby these parties may be obliged to work? A. Yes. I think that if a man found that he was obliged to work for another, and that he himself derived no benefit from the proceeds of his labor, he would be more inclined to work for himself in order to get money. I do not see how we can get rid of them if we continue to give them charity. To keep them in comfortable quarters and to allow them to live in idleness is not a way to get rid of them. The history of England shows how, in the past, such men would not work if by any means they could depend upon others for their support, but when the work test was applied, there was no encouragement for them to become paupers.

Q. Do you think that the city of Toronto is in a position now, if we had the legislative authority to maintain a workhouse here on the basis of those at Cleveland and Detroit and other large cities in the United States? A. I think so. I believe it would pay. Even if we did not get a sufficient amount out of the labor of the men it would pay to keep them there to prevent their loating on the community outside. Of course, amongst them there are vast numbers who are really honest men and who try to get work

Q. Do you think that there is any practical difficulty in the way of the city of Toronto taking over the institution which you have now and making it a house of correction—obtaining legislative authority to deal with this class as they do in Detroit? A. I think it would be a great advantage to the city.

The Chairman.

Q. Do you think that productive labor could be carried on with this class of people? A. I do not see why these men should not be put at productive labor. There are institutions in the Lower Province where they take hold of men and make them do useful work for their maintenance. At some of the Government institutions there they make shoes and chairs and do carpenter work and different things, and these men are turned out as honest men. I see no reason why Toronto gaol should not be a house of correction. I don't see any necessity for having gaols where the prisoners can not be kept employed.

Q. But would it not be better to have such a place outside a gaol? A. It would. I think for some men it would be a great pity if they were sent to gaol.

Mr. Jury.

Q. You say a large number of these men would work if they could get employment? A. Yes, I think so. That is proved by the statistics. You see there is a large number

only in for one or two nights, but the 150 who come back regularly stay there as long as they can. They would stay longer if we did not give them notice to leave in the spring time.

Q. If you carried on these industries that you spoke of in a prison, would it not make it more difficult for men to procure employment outside the prison? A. I have thought of this, and in my opinion the great difficulty in regard to the work done in the prison has been that under the contract system, the work has been sold for a lower price than the honest manufacturer outside could produce it at. I think that difficulty might be easily avoided. I am certainly of opinion that the Government has a perfect right to make these men labor, and it means a reduction of the taxes, at any rate, to compel them to pay for their support.

Q. But would you not be creating the very class that you are trying to cure by driving those who are in employment outside out of their situations? A. I do not see that it would be injurious to the cause of labor, provided proper precautions are taken that the product of this labor shall not be sold cheaper than that of honest labor outside. I think that the work should be done on the state account principle.

The CHAIRMAN.

Q. Of the 2,096 persons sentenced to Toronto gaol for drunkenness and disorderly conduct last year, would not a large number be of the vagrant and tramp class? A. Oh, yes. A great many of the men we have admitted to the institution have tried to bring liquor into it, and others again have tried to disguise themselves by growing beards and different things, but it is impossible that they can do this successfully, because they have to go into the bath every night before they are allowed to enter their bedroom.

Q. Do you think that that is the material that goes to make up the gaol population of the country? A. I have not the slightest doubt of it. They would be very troublesome people to their neighbors wherever they might be.

Mr. JURY.

Q. I see that in addition to the vagrants that you had there were 250 sent to the Toronto gaol, and very probably some of those figuring in the police reports figure also in your returns? A. Some of them are capable of paying for their lodgings. It is very difficult to get these tramps to work. One night a lot struck because they were not suited, and they went to another place where they paid for their lodgings—a whole host of them were together, and I believe they went over and stayed at the Queen's.

Hon Mr. ANGLIN.

Q Can you propose any clearly defined mode of dealing with this nuisance. Mr. Drury has suggested legislative authority for a workhouse, would that be your idea? A. I think it would be the best thing that could be done. It would be well to establish some place outside the gaol so as to make some slight distinction between them and those actually committed to the prison.

Mr. JURY.

Q. Don't you think it would be well to employ this class on such work as filling in the marsh? A. I do, I think it would pay to keep them at work, even if it were not remunerative work. Perhaps Mr. Goldwin Smith might have some suggestions to offer.

Mr. GOLDWIN SMITH gave evidence.

The CHAIRMAN.

Q. I would like to have your opinion on the question of poorhouses. We have found that in many counties the gaols are filled up with poor, needy, old, homeless people, and, of course, greatly to the detriment of gaol discipline? A. I think that is all wrong.

I think the gaol ought, under no circumstances, to be used as an almshouse or place of refuge. It ought to be used as a penal institution. My recommendation is that the House of Industry should be simply a refuge for the old, feeble and disabled. What is termed a casual ward should be turned into a house of correction or some other institution of that kind, and worked by the city on strict principles for that class.

Q. There seems to be an idea abroad that the establishment of poorhouses would have a pauperizing effect? A. I suppose that is the idea, but I cannot imagine anybody thinking that if they were properly administered they would be pauperising or demoralizing in any way; but if relief were indiscriminately given, then it would be pauperising decidedly.

Q. To provide houses for these aged people—those who are physically incapacitated for work in many instances—would not have a pauperising effect? A. Certainly not. They are, in my opinion, a great necessity, there must be a certain number of people who are broken down, friendless and aged, and it is the duty of society to provide relief for them.

Q. And it is better to do that in a systematic way? A. Decidedly.

Hon. Mr Drury.

Q. A large number of Old Country people say that the system of relief there is a prolific source of poverty, that many people relying upon the state making provision for their old age don't provide for their old age themselves, and thus the result of the system is pauperising? A. No doubt the almshouses in the Old Country have directly had this effect. I was a member of a royal commission, charged to enquire into popular education and to frame a scheme for it, and it fell to my lot to enquire into endowments of all kinds, as it was thought that some of these might be available for the purposes which we had in view. Certainly from our enquiries we found that the effect of almshouses, or what were called almshouses, was very doubtful. People did look forward to them as homes or places of refuge in their old age, instead of making provision for it, but I do not think that this has been the case with the workhouses, or of the poor law system of England now. The decent English peasant has a perfect horror of going to the workhouse.

Mr. Jury.

Q. It was indiscriminate assistance, almshouses and private charity that pauperised the people? A. Yes.

Q. In England, a man knows if he goes to the workhouse, or if he accepts relief from the guardians, he is politically disfranchised, and they do not want to lose their votes, but it was different when they received relief at the door? A. Yes.

The Chairman.

Q. I would like to ask what, in your opinion, are the chief causes of crime in the community? A. I think it is almost impossible to give a definite answer to that question. People who have one special evil in their eyes—intemperance—lay it all to that, but it often arises through low wages, scarcity of work, and the people's suffering.

Q. Do you think that neglect on the part of parents is a chief factor? A. The fact is, that this is a subject upon which you have to be very cautious. If you set up institutions like industrial homes, you have to be very careful that you don't hold out inducements to people to neglect doing their duty. If you hold out an inducement to an unprincipled parent by letting him or her know that the children can be provided for by the state, these persons will be apt to neglect to take care of them.

Q. I understand that an act passed by the Imperial Parliament last year gives great scope in the matter of removing children from parents who fail to look after them properly? A. That is a line which I should be very cautious indeed in following

because I believe that the parents are the persons who ought to bring up their young. Of course, I do not mean to cast any reflection on charities of that kind, but the state should be very careful about interfering with the individual responsibility of the parent.

Q. Have you enquired into the Barnardo system of bringing boys into this country, and if so, what are your views regarding it? A. That question is now under the consideration of a conference of the Associated Charities of which I am chairman. From inquiries we have made I think it is clearly proved that the Barnardo boys have not swelled the list of juvenile crime, but I think it is an open question whether this community, in its present state, can absorb any more of this element. An idea seems to prevail, as regards this matter, that we have enough waifs of our own to provide for.

Mr. Jury.

Q. Do you think that these children who are taken from the slums of the large cities of the old country, with their defective organisms in some instances, and hereditary tendencies, are apt to fall into crime? A. I cannot say that I have ever had brought distinctly before me any special proof on that subject.

Q. Don't you think that our own waifs should receive the first attention, that we should find homes for them before going outside the country? A. I think our own children should be considered before others. The question, as I have said, is now before the Associated Charities, and we will have a deliverance upon it at our next meeting.

The Chairman.

Q. Have you given much consideration to the truant law and to juvenile vice, which according to the evidence given before the commission is intimately associated with truancy? A. "Yes, although I don't carry the figures in my mind, I recollect in the report of the Minister of Education it was stated that there was a great deal of truancy in the schools. Of course, this is a bad thing, and it defeats the proposed object of the public school law altogether. There is no reason why, on the face of it, a man who has no children should pay for the schooling of the six children of a man who has to pay for his own. The justification of it is that you should educate all classes, as ignorance is very dangerous to the community. I fear you will find it very difficult to enforce school attendance. To enforce a truancy law would require machinery, and also the support of public sentiment.

Mr. Jury.

Q. Is it not enforced in England, Mr. Smith? A. I am not in a position to speak of that. I have not been in England for twenty years since the system was in operation, and I have not kept entirely abreast of English legislation. But things are different there. The government has more power and enforces its power more than the government here.

Hon. G. W. Allen, gave evidence.

The Chairman.

Q. What are your views on the questions that we have been discussing? A. I emphasize what has been said by Mr. Baldwin very strongly. I deprecate this class being sent to gaol. I think some such institution as has been suggested, a place where they could be compelled to work, would be a great desideratum. I think that being sent to gaol does no good whatever, because a man going there naturally feels a certain amount of degradation and every increasing year witnesses the return of this class of prisoners. There are three classes of paupers: first, those who are rather infirm and cannot get a certain kind of work for which they are fitted, except in the summer; second, a very considerable class of men who go about from place to place, leaving one

place when wages do not suit them and going somewhere else; third, a certain number who are really *bona fide* residents of a place, but who cannot get work. As regards those who go from place to place, I know some who have gone from Brantford to Woodstock, and from that on to some other place. They regularly roam about the country, and get a job for a few days, but they won't do steady work at any one place and they gravitate towards Toronto and stay here in the winter time. I should be very sorry to see the House of Industry, as now constituted, and the House of Correction mixed up together. I do not think that this would work at all well. As it is now, the House of Industry does a good work, and I question how far a House of Correction would be successful in dealing effectively with that class. Some years ago a committee was appointed, of which I was chairman, to fit up the old gaol. It was fitted up and it had an exceedingly healthy effect on a large number. With regard to young waifs brought from the other side of the Atlantic, I may say that for many years I was connected with a sort of committee for placing out a number of lads sent out by charitable individuals in England, amongst them being Lady Howard, Lord Kinnaird, Sir Thomas Fowell Buxton. These were not the children of criminal parents, however, but orphans and healthy, strong lads they were. When they were brought out there was always something sent to provide for any expense that might have been incurred in connection with them. A pound and sometimes two pounds was sent out to provide clothes. Those boys, at any rate, were all right, and they were found very useful. I do not say what they may be now. Both boys and girls were sent out, and amongst the farmers there was great competition for them. In some instances the money sent out for their outfit was never required, and I have known where the pound has gone up to eight, nine or ten pounds. The children were really doing well and did not need the money. I met one of the boys on the street not long ago. He is now a young man, and he said to me, "I am one of Mr. Kinnaird's boys. I have got a place of my own and I am doing well." I have heard it said that these boys learn the ways of the country as they grow up, and they are infinitely more useful than the vagrants that go out at an older age. Whether it will be found out that we have got enough of them now or not, I do not know. I know, that as regards one gentleman, who takes a very prominent part in bringing these boys to this country, very great care is exercised in the selection of the children. I think we ought to try to do something for our own waifs and provide for our own children first.

Mr. JURY.

Q. The House of Correction in the United States as at Cleveland and Detroit, is an establishment where ordinary prisoners are kept? A. My idea is whether you call it a gaol or house of correction or house of refuge, it would be an unfortunate thing to send these men into a place where prisoners are sentenced for crime.

The CHAIRMAN.

Q. One of the greatest difficulties we have to meet arises from the fact that we have to deal with about 6,000 drunk and disorderly persons out of about 13,000 committed to the gaols of the country, and a considerable number of vagrants besides. Do you think if the government saw its way to establish an industrial institution or reformatory with a large farm and garden attached and perhaps a little industrial work, which would give employment to the greater number of the inmates, that the tramp population could be confined there with these drunk and disorderlies? A. I do not know that this would be objectionable at all, particularly if the place to which you are sending them is of an industrial character. The men would not have the same reputation afterwards as they would have if they had been sent to gaol, although I think, Mr. Howland, will make the drunkard out to be worse than the vagrant. I think there ought to be plenty of labor at this establishment, and that the methods employed should have the object of turning out useful citizens.

W. H. Howland, Esq., sworn.

The Chairman.

Q. You are ex-mayor of Toronto? A. I am.

Q. You have taken a great deal of interest in the question of juvenile criminality, and vice in all its phases. Will you give the Commission your views in your own way, as to what is the best mode of dealing with this growing evil? A. I believe that I have been in closer contact with the criminal class than any man in this province for the last nineteen years. I believe I know more of them than any man out of gaol. My judgment is that you ought to make a principal point of dealing with those who have become outcasts of society, from the age of twenty downwards, if what you do is to be effective in reducing the criminal population The plan I propose is in operation to a large extent in different parts of the world, and I have been very clear about it for a long time. The trouble is that there are loopholes in any system almost that exists. Speaking frankly about children going wrong, there are two main reasons. The first is that under the public school system our children are idle a large part of the day, and the only thing that is encouraged is physical culture, which has no practical side. I was at a school where there were large numbers, nearly 400, and some of the wildest boys in this school got attracted by some sort of occupation. Some took hold of printing, and some took hold of other things, but every boy had something to fill in his time, some voluntary training of a practical kind, and I think this system prevented many of them going to the dogs. I think the idleness that we see around owes its existence in some measure to our own fault, in providing physical culture without a practical side. When the children are turned out of the schools at four o'clock, and are allowed to run about the streets, it is not the fault of the working people, it is a necessity. The streets are full of temptation to children, much more so than was the case a few years ago. There are hundreds of things in street life that attract children. There is another point I wish to mention just here. I think children are destroyed largely by following some gang leader. A boy has always a tendency to follow a leader. I knew many of these gang leaders during my mayoralty, and I broke them up. There is one boy, to give an illustration, he is now in Penetanguishene, who was time after time leading others into trouble. He looked like eight years of age, yet he was the head of a gang and gathered a number of others around him. He was really over eleven, but this little rascal would teach these other boys to steal and put them up to all kinds of mischief. At the present time, the boys who commit petty thefts in and around the city are under the leadership of a gang leader. I am sure, and I may tell you as a fact, that two or three of the boys in these gangs could have been saved if we had the machinery. The moment that a boy becomes attached to a gang leader his parents and everybody else lose all control over him. I am not exaggerating at all, I am telling you simple facts. I will give you some idea of what it costs to keep these little fellows, and to provide the machinery of justice to deal with them. There is one boy—we began to know him between 1879 and 1880. He began from that time until 1882 to be in the common gaol, commonly for small, petty offence, for which he would receive ten, three and five days, and so on; such was the custom. There is no punishment in that system. This boy, of course, gets thoroughly educated in crime; he graduated rapidly, and he began to consort with a harlot at fifteen; then we find his tumble was more rapid. In a wretched hovel his mother was dying, and two children were crawling over her. One was her own child and the other was the child of another girl. They were both crawling over this dying woman. In the shed outside was this boy with two women. This was a sort of place which would form the congregating place of probably about a dozen boys who would go in and get their quarter's worth of oysters and the other things they fancied. Well, this boy was caught at fifteen, and sent to the penitentiary for three years. Then he was out a little while, did the same things as before, and was sent to the Central Prison for one year. Then, strange to say, he was sent to Penetanguishene for three years. He is now serving six years in the penitentiary. There you have thirteen years incarceration, and you see how completely this youth becomes a charge upon the public. He had a brother who went to gaol a little earlier. He commenced at ten years old, and he went in and out of gaol until twelve, for periods

varying from ten, twenty to thirty days. About the age of twelve he was sentenced to Penetanguishene for four years, and then he had two years in the Central, making six years. Now, there was a girl in this family. I do not know how soon she became a prostitute, but I think it was before she was eleven years old. She was sent for three years to the Mercer Refuge. The total time of this family in gaol has been twenty-two years, since 1879. Now, the average cost for maintenance would be $3.50, and without counting anything for capital account that would mean $4,000, and $1,000 for expenses of arrest from the time that they were in gaol first. That would bring it up to $5,000 for three of this class, who might have been saved as easily as possible. My impression is that this average cost is a pretty fair one. If these boys had been sent to an industrial school in the first instance, how different would have been the result.

Q. Has that institution been successful in reclaiming many? A. I think our success will run to 95 per cent. We have had thirty odd out already. Now, had those children been sent to an industrial school, the cost would have been about $1,000. There is $1,000 as against $5,000. That gives an illustration of the principle. I do not know that such facts have ever been absolutely brought before you. Now, the system I would recommend is this: I would establish truant schools as an aid to industrial schools. We have had a truant school established in the city. Why I got it established was this: I found that there were youngsters by the fifty who had never been in the habit of going to school at all; we got the school board to give us a teacher and Mr Beverly Jones and a few friends paid the rest of the expense. I think that fifty children a year have been reclaimed by this little place—what is called a truant school, established for children. The school board have not been in favor of extending this system of truant schools. They look upon it as adding to their expense, and they say that parents who don't see the advantage of sending the children to the schools should be made to suffer, but if they had the right mind on the subject, I say unhesitatingly that with the experience we have had with our truant school, they should have these institutions all over the city, and I think they soon will have.

Mr. Jury.

Q. How would you work this truant school system? A. The teacher appointed to conduct the school must have the work thoroughly at heart to begin with. If you go to this school on Elizabeth St., you will find it one of the best ordered schools in Toronto. They have three teachers and three kindergarten teachers now.

Q. Did you provide the children with books and all that kind of thing? A. We helped them in many ways, and we got hold of them in the evenings and taught them a little work of different kinds. We got friends to give clothes and ladies to make them over, and then we had an auction sale of these things for the children, and the boys had their little savings, and they invested these savings in what they required to make them decent. The prices were made to suit the savings. I have known a boy to sleep in his best clothes to keep his mother from selling them for drink. If they are only carried on rightly I think that these schools would be the great essential. The next thing is the day industrial school. I have visited these schools in England, and those in the States. In Boston they have a beautiful industrial school.

Q. You are speaking of a school now where they can learn mechanical work? A. Yes.

Q. Should the children be fed who come to the school? A. Yes, and we ought to give these children in connection with our truant schools and day industrial schools regular meals. When you see them they always look as if they were hungry, and I have no doubt they have reason for it. Then, as I have said, the Industrial Boarding School comes in. The industrial school should be for those who cannot afford to send their children to a boarding school. People who are well off send their unruly children to good boarding schools. The Industrial School is the boarding school for the poor. That would be for the children who go about the streets, who are beyond the power of their parents, and who are now sent to gaol for these short periods I have spoken of.

The CHAIRMAN.

Q. Would you have these schools under the control of the Government? A. I should be opposed to them as government institutions. Governments do some things very well, but there are certain things that they cannot do. In the first place they have the difficulty about controlling the appointments. When the government appoint a man to a position he has to be kept there; they cannot remove him when they find that his influence for good has gone. We got a splendid man in our Industrial School at Mimico and he lost his influence in a simple way—he began chewing tobacco amongst the boys—and from that moment he was a man with a lost character in their eyes. He had to go; but you could not turn him out of a government institution for a thing of that kind. These boys have simply to be studied with the greatest care; they watch every movement of the men who are over them, and the moment a man loses character in their eyes he loses force to govern them.

Q. Would you leave this matter to private enterprise? A. You take the English system. In England the Industrial Schools cost the government half a million a year, and the proportions of the contributions are 55 per cent. from the government grant, 33 per cent. from subscriptions and local funds, and about 7 per cent. from the parents. I think that the government should contribute liberally to the support of these institutions, but I do not think they should be absolutely under the government control. Other reasons I would urge against that are that there is a public interest, a sympathy and watchfulness about any institution that is supported in part by voluntary contribution. For one-half of its maintenance you may depend upon private contributions, and for one-half upon the support received from the government. My impression is that by this means you will have the most successfully conducted institutions. As regards their establishment, we should put the Industrial Schools in any section where the people will provide one half of the cost of the buildings. In a little while our cost of maintenance at Mimico will be down to $2.50 a week. That is doing excellent work, and I doubt if it could be so economically managed if it were under the government, and if you follow my advice in this matter the Government would have other similar institutions in different parts for one-half of the cost of putting them up. Then I think that Penetanguishene should be stopped off as a free institution. Stop off that system and have the municipalities pay for everybody they send there. Dealing with this will enable you to classify felons from fourteen to twenty. Supposing you take Penetanguishene and change it into a somewhat different institution for boys of age, that is, to educate them properly and make useful citizens of them; then you might attach to it an institution in the Northwest and endow it with a sufficient land grant. Land is plentiful enough there, and there boys between the ages of fourteen and twenty could be trained to agriculture and be given to understand that they would have an opportunity of becoming land proprietors when they showed themselves fit for that. I think it is a great stimulus to active industry, a help to the boys to do their best, when they realize that they are being made producers. The first farm colony system was in Australia, which reclaimed thousands and tens of thousands of criminals whose descendants are now, I may say, at the top of the ladder as regards position and wealth, and some of them are helping, at the present time, to rule the world.

Q. What are your ideas as to heredity in crime? A I don't believe in heredity as producing invariably tainted children. If you take the poor Irish immigrants, how many of these people have made their way in the country to-day.

Hon. Mr. ANGLIN.

Q. You should not forget that these are of a good stock and are a religious, virtuous people? A. I do not know that you could imagine anyone beginning under poorer and more deplorable and more miserable circumstances than those who came during the time of the potato famine, but they are able to make their way notwithstanding their defective rearing and upbringing

The Chairman.

Q. Then you would reorganize at the top of our system, Penetanguishene? A. I would, and have it under a good man like Mr. Massie, and help this man in every way as regards the management of the institution.

Q. Your reformatory system would stop at twenty, you make that the limit? A. Yes.

Q. You have left out of consideration one line of reformatory work which forms an important element in some of the States of the Union. Young men between twenty and thirty who would here be sent to the penitentiary are, in some of the American States, committed to an adult reformatory as first offenders on what are known as indeterminate sentences. Is not this wanted to complete your chain? A. Yes: but I was drawing a line at everything beyond twenty. What you refer to now is the thing that has been tested in Elmira and tested in other places. To get this, if you have good men, you would merely want to change the working of your present prisons and you would have it within your reach to-morrow to constitute reformatories for those over twenty; but to stop the manufacture of criminals is what I have been advocating I have not given much attention to the other side of the question.

Q. What are your views as to the importation of those children from the Old Country? A. My own impression is that the children have been carefully selected. They are not to be found to any large extent amongst the waifs of the cities and towns here. I may say with reference to Dr. Barnardo's statement that there would be no demand for our waifs on the part of the farmers, that our experience at Mimico is that when our boys go out they stay all right. Mr. Jury says we have not got much experience, and that may be true, but our boys so far, when they have been placed out, have given satisfaction. If a boy is put into a kindly family he gets interested in his surroundings and he wants to stay; he becomes interested in the cows and horses, and the pigs on the farm, and the farm, and is as happy as a prince. You will see him on horseback taking the horses to water, and all that kind of thing, and he seems to thoroughly enjoy the life. Our farmers' sons are coming into the cities, and unless you fill up the gaps this creates on the farms they will go out of cultivation. I have no fear about there not being a demand for the boys.

Mr. Jury.

Q. What is your opinion about those girls that have been brought out by Miss Rye and Miss Macpherson? A. I cannot say of my own knowledge. I have seen Miss Rye's figures and she claims that the results are upon the whole very satisfactory; but, she says, that if one girl goes wrong each paper takes it up and passes it round, and this same girl gets into trouble at different places. Thus you see it does not take more than four or five to bring the whole work into disrepute. Miss Macpherson's work stands high.

Q. I do not know that our farmers want to take boys who won't stop. Dr. Barnardo's boy can't run back to his father and mother, or to any kind of a home elsewhere, he has got to stay, but our boys would be inclined to run back home again, especially a boy whose parents are in the city and who has tasted city life. A. Just so, and we must keep track of ours as Dr. Barnardo does of his boys. If anything should be wrong there goes a letter like a shot, and an officer is sent after the boy at once. There is a man right on top of him to know "What do you mean by this?"

The Chairman.

Q. As an ex-member of the police board I would like to have your views about the commitment over and over again of drunkards to gaol. A. I think it is a horrid practice; I think it is an abominable and degrading thing, and none of them are reformed by it. The drunkard in the first portion of his drunkenness is a criminal, because he would probably drink deliberately on account of his liking for it, and in the latter end he is a slave. To perfectly cure a drunkard you must begin with him at an early stage in his career. A man ought to be punished for neglect of his family, but to send a man down to herd with

criminals in gaol simply because he has become a slave to drink demoralizes him completely. I think there ought to be some place for the treatment of this class. I think your suggestion about an industrial asylum is a splendid thing, where you can confine tramps and vagrants, who are nearly all drunkards. I have great faith in the result of this kind of work. I believe that a farm would be better than any other kind of institution; and the tremendous productiveness of the land through the amount of labor bestowed upon it would be such as almost to defray the cost of the entire establishment. What do you think forty acres of land would produce? Our boys at Mimico produced $2,850 worth of stuff last year, including milk and nearly all the butter they consumed. We bring the manure out from the city and keep the land in the highest condition. Then our boys do such work as draining and fencing, which may be regarded as permanent improvement, and would bring the total up to about $4,000. I think you will say that very few farms in the country of the same size produce more than that. I believe that by the farming system you will produce more money than you would by any other industry. I am not saying this because Mr. Jury is here; I think hard work is a great thing for these prisoners. The unions are quite able to fight their own battles, and have, I think, a righteous claim to resist such competition, but you take the women who are employed in laundry work. They have to get their living and have no union to protect them, and it is a cruel thing that they should be cut out by institutions. Work has to be provided of course, but the evil features should be minimized as much as possible. My remedy is the land.

Hon. Mr. Drury.

Q. There is no danger of the farmers having any objection? A. No; we have got all the unsettled lands before us. It will never make any difference to the farmer.

Hon. Mr. Anglin.

Q. I observe, Mr. Howland, that you have in each of the Mimico cottages provision for a normal number of about fifty. It has been a question with some persons who have given attention to this subject, whether it would not be better to have a smaller number in the cottages? A. When we can accommodate in that institution 200 boys I think I would bring them down to about thirty in a cottage. I would have them under a cottage father and mother, and as soon as a boy is all right and his home feelings are thoroughly restored, and his character is moulded into a proper line, I would place him out.

Q. At some institutions they dislike the idea of keeping the boys for any length of time because they get false ideas of life, and are not so well able to adapt themselves to their circumstances when they leave? A. I want to give these boys tastes that will put them above the criminal class. You want to take away from them the ideas that criminals have of a feast of oysters in a dirty old shed. You want to put right ideas into their heads to show them that that is not the kind of thing that they should aspire to in an honorable life. You should accustom them to having everything nicely done, to cleanly habits, to respectable surroundings.

Hon. Mr. Drury.

Q. But if you put these high ideas into their heads might they not become dissatisfied with a fourth rate farmer's house? A. I would not put them with a fourth rate farmer.

Q. Don't you think they ought to rough it just the same as others? A. I would let them rough it. A boy enjoys roughing it, but he does not cease to be clean. You and I, when we go away for a while in the summer will stand roughing it, and so will these boys, but they would always have a taste for a decent place to live in, and nice surroundings. There are few artizans' homes in Toronto, of a late date of construction where you will not find wainscotted walls, colored glass doors, and nice glass in the windows. As Mr. Mark Stewart, one of the members of Parliament for Scotland remarked when I showed him some of our dwellings, "The world is improving so far as material things go, under the influence of education, and we are improving the tastes of the people."

Q. Do you think that your boys will learn to work there as hard as they must work, assuming that they go out on a farm such as our farms in this country are? A. I think that the boys would rather work on a farm than in the school, and I think our labor is just as severe and just as hard as the work they should get on the farms. Our object is to make these boys really useful when they go on the farms. They are taught carpentering and other trades, so that when they leave us they are really handy lads.

Q. Your management is constantly keeping before them the reality of work? A. Yes.

Q. What is your opinion as to the effect of institution life upon the boys, is it good or bad? A. An institution of the ordinary kind, where boys are jammed together in one building, is not good for boys. I think where fifty boys are put together in a cottage as they are now at Mimico, the number is rather too much. Get it down to thirty-five or forty, and aim at making the life there as much like home life as possible, and I think you have nothing to fear from it. My own belief is that children who have this class of training are the better for it, and I think the better the system of training the greater the results you are likely to achieve. I think this is a matter that is greatly overlooked with us. Take an agricultural country like Denmark. There are forty-nine high schools for farming there.

The CHAIRMAN.

Q. And this is institution life, too? A. It is. We are giving far too little attention to the teaching of handicrafts and to instruction of a practical kind at our schools. We are filling the cities with book-keepers and clerks, and you would be astonished to know the average wages of some of the young men you see in these capacities, dressed up, with watch and chain and that sort of thing. They think they must do something in the way of genteel employment; they are pretty near starving, and you can employ many of them at $5.00 a week. What is the remedy for this? My remedy is to put industrial things in the schools. When I was in Chicago I was in the school of practical training. A master was teaching carpentering, and he gave an excellent object lesson to the pupils. He showed them on the blackboard the designs of different articles and how to handle and to use tools. He gave them a vast amount of information as to the particular kind of timber, where it came from, what it was used for; and the boys, I am perfectly satisfied, were interested and instructed. The result of such training is to give them a taste for practical work. I say that such training has a much higher value than so called physical culture that you can have.

Q. What experience have you as regards keeping the boys at school? A. We have no difficulty whatever.

Q. What is your idea of when a boy ought to be sent out? A. We first want to restore what is called the home feeling. This has been lost through the neglect of the parent or through other causes before the boy comes to us. Following this restoration, the boy becomes settled. You watch over him for a while and see if any restlessness manifests itself in his disposition, and when you think that the boy is capable of being removed you find a place for him. Of course, as regards religious training there is no question of the importance of this. I don't believe in separate schools from the outside point of view, but I believe in separate schools so far as industrial schools are concerned. The boy who attends the public school has home training and industrial training, and, you must assume, religious training. I contend that in an industrial school you must have definite religious training in which differences are not emphasized. The next thing, of course, is to train the boy to habits of work. This will take some time, for a boy is lazy at first, but when he goes plodding away and goes through lessons in the same way, we know that he is making progress both at his manual work and head work. When you have restored the home feeling thoroughly in the boy, and have an influence over him so that you feel you can trust him, you are pretty nearly safe to conclude that he will not abuse your confidence. This may come to one boy in six months, to another in a longer period, and as regards some boys no doubt you will never get it at all.

Hon. Mr. Drury.

Q. What, in most cases, has been the cause of the children being brought to you? A. Well, in nine cases out of ten we find that boys are partly driven wrong by their parents' habits and bad management. Many people are not fit to be trusted with children. It is astonishing how neglectful they are, and the children take advantage of these chances to go against their own parents.

Q. Do you receive any regular amounts from the parties with whom you put these boys on farms? A. Oh, yes. We begin very low and get more as the boys improve. We are only three and a-half years old, but we have nice letters from many who are out, and if a boy goes wrong we send an official to enquire into the cause.

Q. Do you think a farm is a right place for a boy of this kind? A. I do think it is the place for a boy, but I don't think it is the place for a girl. I don't think the girls ought to be sent out to milk cows or to attend to chores or work outside the house. With a hired man servant there it would simply put them in the way of temptation.

Q. Don't you think that they might do this just as well as our farmer's daughters? A. The farmers' daughters are brought up under different influences. They have wisdom and strength, and know how to do right.

Q. They are as good as anybody in the world? A. They are; but it is very different with these girls. They have been taken away from houses where they have been brought up with imperfect ideas of morality and of what is right and wrong, and a farmer's house would often be to them a place of danger.

Q. But your idea is that the farm is the place for the boys? A. Yes.

Hon. Mr. Anglin.

Q. Are you acquainted with the Probation system of Massachusetts? A. I know it. There is another thing I would like to mention—at industrial schools in England and a great many institutions on the continent, children are kept until their parents return from work. These boys who are left to run about the streets are simply ruined in the lapse of time between the dispersion of the school and the return of the parents to the home. I think it would be a great deal better if we could provide some practical training in the schools between the hours that children leave now and the time they would return to their homes in the evening.

Dr. Rosebrugh.

Q. Do you think it is possible to introduce this practical training into the schools here? A. I do; it is practicable in Austria, and it is practicable in Germany, and I feel sure that it would help to make a prosperous country. Every man has some trade in Austria, no matter how distinguished his family may be; they all have occupations. I do not think there is anything that could be more serviceable in a community.

Q. In regard to boys running about the streets at night, what would you do? A. Keep them off the streets, it can be easily done.

Q. We found Industrial School management in Massachusetts partly entrusted to ladies, and partly to gentlemen, subject to inspection by the State Board of Charities, who are allowed to visit the institution and report upon it to the State Board, which consists of, I think three or five members. In some States there were more appointed, three Democrats and three Republicans, and they claim that this removes the institution out of the hands of politicians. Do you think that we could incorporate anything of this kind into our system in Ontario? A. I think if you had a thoroughly good system, and a really first-class inspector, you would be all right. As to a Board of three Democrats and three Republicans it may be all right over there, but we don't have the necessity for that here yet. I think the simpler you can make the machinery the better, but there should be an appointment of an Inspector of Industrial Schools, and Instructors for children receiving

government grants. There is one in England now, and a splendid man he is, with his whole heart in his work. Generally speaking, the less machinery you have about an Industrial School the better. The work is the more effective when it is done by a few people. The difficulty is to find the right class.

The CHAIRMAN.

Q. Have you any other suggestions to make, Mr. Howland? A. There is one thing only I would like to say, that I hope the Commission will do everything they can to prevent a child under twelve years of age being sent to gaol for any offence. The gaol is the first step in the direction of a criminal career, and I trust the report of the Commission will be such as will absolutely prohibit them from sending children there.

Hon. Mr. ANGLIN.

Q. What would you do with a child who has committed an offence? A. I would send the child back home again—anywhere, rather than to gaol. A good receiving home should be established where children accused of crime could be sent.

Dr. ROSEBRUGH.

Q. What do you think of bringing boys up before the police court? A. I think it is a scandalous thing, especially as we have an act authorizing the appointment of three commissioners for the trial of children's cases. Judge Boyd offered to act under this, and I offered myself to arrange to pay the expenses of a room and to find accommodation and then all they would have had to find would have been the constables to bring them there and they would not do it. I think it is wrong to bring children up in the public court in the presence of such an assemblage as daily attends there. As you say, the probation officer, if that system were adopted, could find out the circumstances of each case, and the court, at any rate, would be in possession of the facts to enable them to form some kind of judgment as to the proper course to adopt.

Hon. Mr. ANGLIN.

Q. If we went so far as to have an officer make the necessary enquiries, what would you do with the children meanwhile? The gaols and the police cells would not be the place for them. A. That would be easy enough, there could be a house of detention in the city in connection with the industrial school. There ought to be some such building where we could place a boy before taking him into the school. There should be some place of the nature of a place of detention. For that matter it might be a portion of the building where the commissioners would sit and try the cases. That is all practicable enough.

Q. It is only desirable to know whether it could be obtained without much expense? A. That could be easily overcome.

Dr. ROSEBRUGH.

Q. You have been long acquainted with the Mercer Reformatory. Have you any recommendation to make with regard to that institution? A. Well, my impression is this, that, constituted as it now is, there is no chance of classification there. There is no intelligence exercised in the original committal of the prisoners. You take a woman who is drunk and who has only begun the life of prostitution, she is brought up and is allowed to go again and again with a small fine until she has become perfectly hardened. These could be reformed if they were sent at once to the reformatory. There is no chance of the reformation of the large number of those who go there, because they are in so many cases hardened cases, still the institution has done pretty well altogether. I think of those who go in a great many don't go back. The influences there are kindly and the results in many cases are good, but it is not answering all the purposes that it ought to answer, simply because the right class are not sent. I think every woman of lost character ought to be given a chance to do better, but the provision for that at the Mercer is defective until better classification can be had.

Q. In regard to the girls' refuge there, do you think that is conducted on a proper principle? A. I do. I think the Girls' Industrial Refuge is managed in the best possible way, but I question if that is the best place for it.

The CHAIRMAN.

Q. It was placed there only because there was no other accommodation, it was intended to be only a temporary place for them; it was never intended that they were to be permanently located there at all. A. My idea is that the girls' place should not be there.

Dr. ROSEBRUGH.

Q. I understand that both in the refuge and the reformatory there are weak-minded girls and women who are allowed to go away and come back again, do you think this ought to be? A. Certainly not, I do not think that the weak-minded should ever be allowed to go back. They should be taken care of in a proper home.

Lieut.-Col. H. J. GRASETT, sworn.

Hon. Mr. ANGLIN.

Q. You are the Chief of the Toronto Police? A. I am.

Q. How long have you held that position? A. Since December, 1886.

Q. You had previously commanded the Grenadier Regiment. A. Yes.

Q. What has been your experience as to the chief cause of crime in the city of Toronto A. I regard drunkenness as beyond all question the source of more crime than any other vice.

Q. We have been told by a great many witnesses that those who commit the more serious crimes are not drunkards, that they cannot indulge in strong drink and pursue that career with success. Has that been your experience? A. The professional burglar would probably be found to be a sober man, and no doubt the same would be true with regard to men who commit forgeries. The ordinary housebreaker and thief, I should say would not be classed in the same category. The fact of his having taken to this mode of life is probably due to intemperance.

Q. It has been stated also by a large number of witnesses that of those who ultimately become criminals of the worst kind, a large number first fall into habits of vice and afterwards into crime, because, as children, their education has been neglected; because they have been allowed to run at large in the streets, and have not been subject to proper parental control or training. Is that your opinion? A. The fact is that my position, being one of an administrative and executive character, my duties do not bring me in contact with the prisoners, so as to make me familiar with their history and record. I very seldom come into personal contact with them. In support of my statement that drunkenness may be regarded as accountable for so much crime I may say that when there are not so many facilities for getting drink, the amount of crime immediately drops down. Take the small number of cases, for instance, on Sunday. I find that there were 5,441 cases of drunkenness, male and female, brought before the court in the year 1889, somewhat over an average of 100 per week. I venture to say that 5,000 would be found to have been arrested on week days and not more than 441 on Sundays.

The CHAIRMAN.

Q. What cause do you think is next in importance? A. That is very hard to say.

Q. Of those men who are apprehended for drunkenness and disorderly conduct combined, do you think that many are bread-winners? A. That is a question I could not

answer except by merely expressing an opinion. Of the 5,000 odd persons charged with drunkenness 871 were women. As a general thing they are prostitutes as well as drunkards.

Q. Are those set down as vagarants and tramps properly classified, and what is the number you have to deal with? A. During the year 539 people sought shelter in the station houses as a last resort. Since the House of Industry has enlarged its capacity for taking in vagrants, we send them there, but that house closes its doors at a comparatively early hour of the evening, and we have to take in all those who come after that hour, otherwise they might be frozen to death. Some of them are people out of work.

Q. Have you the means for classifying prisoners who are confined at the stations? A. We have merely a separation as regards the sex.

Q. Do you think, that this continual commitment of the drunk and disorderly class accomplishes much good? A. In my opinion it accomplishes very little good. I should say of drunkenness that when it has got hold of a man to any extent, it is more of the nature of a disease and requires treatment for such a length of time that you could hardly hope for any good being accomplished in a short period of sentence. If a man is sent down for thirty days, he is merely confined there. He is not given any work to do with his hands, and there is no attempt made to improve the man's condition. He is simply kept away from drink for the time, but the doctors will be able to say whether that has any permanent effect or not.

Q. Do you think that it would be a step in the right direction to adopt some other mode of treatment and what plan would you recommend? A. I do, but I will say again that my experience in dealing with these cases is so very limited that I doubt if my opinion is of very much value. I should say, however, that I think it would be well if these men were dealt with in an industrial or agricultural institution—separated from the rest of society for such a time as will give those in charge of the institution an opportunity of seeing whether there is any reasonable ground for hoping that they will improve. At the same time this establishment should be made self-sustaining, without coming into competition with the laboring class outside.

Q. The evidence we have received shows that in some cases constables are over zealous; many people seem to be dragged to the gaol who are not disorderly and who have committed no offence, but are trying to work their way home quietly, staggering a little it may be, but annoying nobody. Do you think it is advisable to send to the lock-up or the gaol this class of drunkards? A. Most distinctly not. When the regulations were amended and revised by myself recently, a paragraph to this effect was inserted. "Persons under the influence of liquor, who do not conduct themselves in a disorderly or unseemly manner in the streets, are not to be arrested unless it should appear that they are likely to be robbed, assaulted or frost bitten." That regulation I believe the great majority of the constables on the beats carry out, but it is only a constable who has had a good deal of experience that can tell the different peculiarities of people under drink. Sometimes such persons will stand on the street and refuse to move at all. They will vomit and sometimes use bad language, swear at people who get in their way and so on, and the constable scarcely knows what to do with a man when he cannot make him listen to reason; and then such a man is generally joined by some friends or kindred spirits in the neighborhood, and they incite him not to obey the orders or follow the advice that the constable gives. Sometimes they will themselves force the initiative. Of course, there are constables who make arrests of people when they ought not to do it, but there is no encouragement given to an officer to do so; and the probabilities are that the officer in charge of the station would allow a man who was brought up under such circumstances to go; but certainly the great majority of the police act in accordance with these instructions. There is a great misunderstanding in the minds of the public in regard to the attitude of the police, and very much misrepresentation, even in cases where the police do no more than carry out their instructions.

Q. We have found that in some parts of the province, the constables are paid fees for arrests of this kind. Do you deprecate this system? A. Certainly, it is most objectionable. It is a positive inconvenience to the constables in this city to make an arrest. If a man makes an arrest at say three o'clock in the morning, he goes off duty at five o'clock, and he will have to attend the court to give evidence in the case, should the man deny the charge, at ten o'clock. There is no reward for the number of arrests that a constable makes,—in fact, every arrest is dealt with on its merits, so far as we can deal with it.

Hon. Mr. ANGLIN.

Q When in Cincinnatti some weeks ago, I learned that they have a system of locking up persons for the night who are found in a state of intoxication, but who have been guilty of no crime. The name of the individual is entered in the blotter, or station book, with the letters "T. C." after it—this indicates that the man is only to be taken care of, and when he becomes sober, he is allowed to go home. Have you anything analogous to that system here? A. No, I have not heard of that before, we have no by-law to that effect framed.

The CHAIRMAN.

Q. How many station houses have you in the city? A. Six, and one under construction at the present time.

Q. Have you the means of separating the sexes in them all? A. Yes.

Q. Is a woman in charge of the female wards of the station houses? A. In the headquarters only, but all arrests made up to midnight are concentrated at number one station, the headquarters, so that the matron can be brought in to render any services that may be necessary as regards the female prisoners. The women who are left in the station houses after that hour, are simply confined in one of the wards there, but we have found that it is quite exceptional to arrest a woman after that hour. When I say exceptional, it would probably only be done in cases of keeping a house of ill-fame, and these women are generally sober and don't require any assistance.

Q. Have females ever made complaints of misconduct on the part of policemen? A. There never was a case of that kind.

Q. In the morning prisoners are concentrated at police headquarters? A. Yes, and they go before the magistrate.

Q. When the prisoners are sent down to gaol on remand, do they all go down in the Black Maria? A. They do.

Q. Is there any means of the separation of the sexes in that? A. Not at present. I may explain that the conveyance of the prisoners is now done by contract, but the parties who now hold the contract for taking down the prisoners have been notified that a change will take place on the first of April. An order has been given for two vans to be built for the conveyance of the prisoners to the gaol, and after that date all ground for complaint as regards the mixing of prisoners in the van will cease.

Q. Can men and women converse in the station houses? Can they see one another? A. At number one station—headquarters—they are on different floors. The men are in the basement and the women on the first floor, and unless they raise their voices and shout they cannot be heard. At numbers two, three and four they are separated so widely that they cannot converse; at number five there is an unfinished partition; at number six they could be heard. It is a station that we took over from Parkdale, but they would be given separate cells, and they would require to raise their voices and shout before they could be heard.

Q. Do you find that the arraignment of young boys and girls in the police court in the presence of a promiscuous crowd has a bad effect on these juveniles? A. I do not

think it is so much the arraignment in the police court. It is the life they lead ; it is on account of the training they receive, or rather the lack of training on the part of their parents or guardians. I think by the time they reach the police court they are very callous as to what happens.

Q. You are aware that in some places they try to avoid this by a private hearing? A. Yes.

Q. Do you think that is desirable, or is it immaterial for the reasons you have given? A. I think it would be an improvement if the boys were not brought up with the other prisoners at all, and not allowed to intermingle with them in any way. I would like to see some place established where boys and girls brought up for trivial offences could be dealt with by properly constituted authorities without being sent to the court in the first instance at all.

Q. Do you think it would be a difficult matter to have some place where boys and girls could be taken after arrest instead of being placed in the ordinary station house? A. I think it could be managed without very great trouble or expense, and in fact we could put them in some building that we have now until a new one was built for the purpose.

Dr. Rosebrugh.

Q. Do you think it would be better to let this be under the police system, or would it be better to have it in connection with the Industrial School? A. I think if a policeman arrests a boy, it must be done under the police system. The boy question in Toronto is one of the most difficult that I know to deal with ; so many people neglect their children and allow them to roam about the streets, regardless of public morals or of the habits they are likely to contract, that it is really disgraceful. Parents are either not aware of it or they are indifferent. These boys go about in gangs, and they always go under leaders, and the more enterprising spirits amongst them lead the others astray. Considering the amount of money expended upon our school system, I think we have a preponderance of cases of this kind in Toronto out of all proportion to the number that there ought to be. When you go to the States you don't see the same evidence of lack of discipline or lack of instruction. They take a pride in seeing their public places kept free from injury, and with private property it is the same thing, but a boy here thinks that if he can injure the shade trees or deface a fence, or commit any other mischievous act, he is doing a meritorious thing. If he can break a window with a stone catapult or an air gun, or do any damage to private property, he will delight in the opportunity of doing it, and parents abuse the police for daring to insinuate that their children are the guilty parties. The parents are greatly to blame for allowing their children to run around in the streets so as to render acts of this kind possible.

Q. You don't think that the school board can do anything in this direction. A. The school board, through their inspector, have promised to co-operate with the authorities to check these evils as much as possible, and they claim to have issued instructions for some time back, prohibiting such practices on the part of boys who attend school. Whether these acts are done by school children, or boys who don't go to school, I am not prepared to say at present, but I am now collecting data that will enable me to speak positively. I am now taking steps to ascertain respecting every boy that comes to court whether he goes to school, and then to send the information to the inspector of schools to make what use of it he thinks best.

Q. Don't you think it would be well to try something to take the children off the streets? A. I think there is a great deal of truancy, and there ought certainly to be truant officers, but there are a great many families perfectly regardless of what happens to their children, and if you want to get them to send their children to the school or to keep them out of mischief all the satisfaction you get is contained in the question "What are you going to do with the children?" Many of them are children of drunken or dissolute parents. Perhaps the parents are in prison or the father has left or cannot get work, and the mother is unable to look after them.

Q. Would it not be better if some arrangement could be made so that prisoners could be conveyed from the police court to gaol without being submitted to the gaze of the large crowd who muster on such occasions? A. So far as the present police court and number one station are concerned, it could not be done, but in the new court house arrangements are to be made for receiving the prisoners under a covered roof, and the prisoners when they are removed to the gaol will be taken from the cells and put into the conveyances inside the court yard, and they will be taken away through a separate means of egress.

DAVID ARCHIBALD, Staff-Inspector of the Toronto Police Force, sworn.

The CHAIRMAN.

Q. What are the special duties of your office? A. I take charge of all the prosecutions in reference to public morals in the police department.

Q. How long have you been in your present position? A. I have been in my present position since February, 1886, but I have completed twenty-five years on the force, and I have had four years experience in the Royal Irish Constabulary.

Q. What is the chief cause of crime and vice amongst juveniles? A. I think in the majority of cases it is the result of intemperance, both directly and indirectly. It would be on the part of the parents in the first place. I believe that the disease, if I might call it a disease, gives propensities to wrong doing. These propensities are transmitted to the child and are developed through the associations that they form in the streets. Doubtless a number of comparatively innocent children, through contamination by the vicious, become themselves criminals. I think this takes in all so far as the juveniles go.

Q. Do you class the neglect of parents in allowing children to run about in the streets under the head of drunkenness. Don't you think that some sober parents neglect their duties in this way? A. Certainly. If children were dealt with strictly and properly by their parents, few of them would go into evil courses. I have had experience of this, particularly for the past three years, since the Industrial School was established. I have seen ninety per cent. of the boys sent to the Industrial School from the city of Toronto, and with the exception of three or four they have gone through my hands. I found in quite a number of cases that the parents were more to blame than the children. I found that the parents were either careless, indifferent, or ignorant with reference to their duty towards their children. Parents have brought boys to me to be admitted to the Industrial School and when I have enquired into the antecedents of the boys I have sent them back with a sharp reprimand and the intimation that they themselves ought to be locked up instead of the boys.

Q. When the father is a drunkard, but the mother sober and working all the day, trying to make a living, would you not think the children of such parents are in a fair way to become criminals? A. Yes. A decent mother tries to do all that she can, but poverty, stricken, sometimes abused by a drunken husband, the children turned out of the house in the evening, sometimes at night, in fact it is no infrequent thing to find mother and children all in the street, and the infuriated drunken father smashing up everything he can lay his hands upon—how can you expect a woman under those circumstances to control her family. There are no salutary home influences and the children naturally drift into crime.

Q. Do you believe that poverty sometimes leads to criminality even though father and mother are not drunkards? A. It might in this way. The children of respectable, but poor parents, are sent out to sell newspapers; we prohibit girls from selling newspapers now, but they have gone out together in the past and they become contaminated by association with other boys and girls in various ways. Amongst the girls this con-

tamination develops prostitution. I suppose that three-fourths of those girls developed into prostitutes. They were taken advantage of in the first place by disreputable people. That is the reason why such a strong effort was made to take the girls off the street altogether. The boys become contaminated also by meeting together in large numbers hanging outside the newspaper offices and indulging in profanity, and it is a question of the weakest going to the wall, and with the strongest might becomes right. They endeavor to beat each other in this way out of money, and so the thing goes on. They learn gambling, tossing coppers, and they get into all sorts of vice. An attempt is made now to license the newsboys and to compel them either to go into the newsboys' lodgings or some other lodgings to be approved by the staff-inspector.

Dr. Rosebrugh.

Q. Do you think that those cheap entertainments do harm to the boys? A. Undoutedly. This has the effect upon the better class of boys.

Q. But don't you think that as regards these street boys dime museums and cheap theatres and reading all sorts of trashy literature are causes of evil? A. I do.

The Chairman.

Q. Is there a law against allowing children to go into drinking saloons? A. There is no law against their going into the saloons, but there is a law prohibiting saloon-keepers from supplying boys.

Q. Are many of these boys addicted to drunkenness themselves? A. Not of the very little ones.

Mr Jury.

Q. Do you think the importation of those boys from the old country in large numbers through the agencies of those societies adds at all to the juvenile offenders in this country? A. Not very much to the juvenile offenders. It adds to the street walkers and prostitutes. A considerable proportion of the girls who fall into the hands of the police have been found in this line, but there have not been so many of the boys. The boys sent out under these auspices are principally sent to the country. If they are really bad boys they gravitate towards the city.

The Chairman.

Q. Do you find that prostitution and drunkenness go hand in hand as a general thing? A. Not in the class that are known as keepers and inmates of houses of ill fame, but as regards those who become what is called street walkers, their prostitution is inseparable from drunkenness. My experience is that drunkenness is the result of prostitution more than prostitution is the result of drunkenness. My experience of this class is that those who are found in houses of ill fame have been, as a rule, respectably reared, well educated, accomplished, perhaps, and that they never touched liquor until after their fall.

Mr. Jury.

Q. How do you account for their fall—through being betrayed? A. In the majority of cases by being betrayed and seduced. As a rule they become demoralized, lose perhaps a fashionable position in life, and hide themselves and their shame from those with whom they had formerly been associated. They gradually become demoralized until at last they fall into drunkenness and the lowest form of street walking.

The Chairman.

Q. In our visit to the Toronto gaol a short time ago, we found over sixty women there, and it was stated that the greater number of them were prostitutes. Can you give the Commission any scheme under which we can hope for the reclamation of any considerable number of fallen women, except keeping them shut up altogether? A. When I was appointed to this special work six years ago, I made an official visit to

the houses of ill-fame that then existed, accompanied by one or two other officers I visited thirty-five known to be houses of ill-fame. I found on an average about four women in each house, and I found that two-thirds of this number were Americans. I took the name, age, nationality and length of time that they were in this kind of life and I compiled a book containing the information. I gave them distinctly to understand that the law for the suppression of vice and houses of ill-fame was to be rigorously enforced in Toronto. I told them that a reasonable time would be given to those who belonged to the other side to go back there, and that if they had not the means to enable them to do so, we would furnish them with tickets to the places they came from. I further told them that if any of them showed a desire to reform, I would send them to an institution under charge of philanthropic ladies who would see that they were provided with all proper facilities for starting a new life. On my second visit I found that half the number had disappeared altogether. I was told by the officers on duty that they went in large numbers, with their trunks, to the station, and took tickets for the other side. The law has been strictly enforced from that day to this, and the number of houses of ill-fame in Toronto has been reduced to a minimum, the number of women that are to be found in those houses are very few, and there is more trouble with the class of women who have become completely demoralized and have to be picked up as drunks and for soliciting on the streets.

Mr. Jury.

Q. Has not this been the result of your crusade against the houses rather than anything else—that you drive these people out of the houses on to the streets? A. No, the reverse is the fact. The number of prostitutes is greatly reduced. We find that there is not half the number arrested for prostitution that there was before. Their houses have been broken up and soliciting is not carried on at all except in the worst parts of the city. I don't think that there are half as many now as there were in 1865, when the population was not more than a quarter of what it is now. As a general thing citizens say that they find it a very rare thing to be solicited in the street by women. In fact, unless you go to certain portions of St. John's ward, women will not solicit men on the streets at all, and a few years ago it was quite a common thing to be solicited in the most fashionable streets in the city.

Q. Do you not think that you can find it down about Richmond St. west of Bay. A. You may, to a small extent, but the increased vigilance of the police, the increased number of policemen on duty, the increased facilities for dealing with prisoners, the patrol wagon system have all contributed to diminish largely the number of this class of people on the streets of Toronto.

The Chairman.

Q. I suppose you are aware that in some places they have adopted the system of regulating prostitution. What are your views as to that? A I would just as soon regulate burglaries and larcenies or any other crimes. I believe in dealing with the social evil just the same as with other crimes. I would deal with all upon the same lines—put the law in force.

Q. You of course believe that the association of prostitutes in the gaol with innocent girls is a very great evil? A. I certainly do. I think it would almost surely result in the fall of the innocent person.

Q. Have you any remedy to suggest for this state of things? A. I don't know anything better than proper classification. It is not a very easy matter to deal with them now. I have had communications with Mrs. O'Reilly, the matron of the Mercer, and the other lady officials there, and they have very great objection to the industrial refuge for girls being in such close proximity to the Mercer. Although there is a brick wall between them, yet, in that very close proximity, there is danger of their coming in contact with each other. I certainly think it would be far better if the two institutions were separate altogether.

Q. Do you think that any considerable number of prostitutes can ever be reclaimed? A. I think so. I have been associated with the prison gate work commonly called the Haven, and also with the rescue branch of the Salvation Army, which is dealing especially with this class of females, and I have known some remarkable cases of reformation through both of these agencies. Quite a considerable number have been reformed. When the Salvation Army started their rescue home, Inspector Stephen and myself sent a woman to them as an experiment. She had been the keeper of a notorious house in the city, one of the most disreputable kind. We sent this girl and we watched the result very closely, and it was of the most satisfactory character. Quite a number have been sent since with similarly good results. Only on one occasion did this girl break away. She had indulged considerably in liquor, but with this exception she gave the most marked evidences of reformation, and she is now occupying an honorable and respectable position in society. I may say that in connection with the Salvation Army work, I have heard Commissioner Adams give statistics for three years showing that in dealing with this class, he had 80 per cent. of good results, and the work at the Haven has also been exceedingly good, as evidenced by the statement of the president of that association. There is no question that if you can only get them as far as that you will reclaim a great many of them. I think that of those who go to the rescue homes very few have passed through the gaol. In my judgment, there would be no use giving a chance to those who are absolutely old and hardened.

Q. What do you think have been the results of the Mercer Reformatory in respect of this class? A. It has not fully met the expectations formed of it, but I attribute this to the short sentences there. The terms of confinement are not sufficiently long.

Hon. Mr. Drury.

Q. Is it anything more than a prison for women just now? A. I think it is more of a prison than a reformatory. You take a woman committed for six months. She will brazen it out for that period, but if she is in for two years she looks upon it differently. They are more susceptible to good influences. With such companionship as they have there, six months they think will soon pass away, and it really does them no good.

Q. What is your method of dealing with assignation houses? A. They are the same in the eyes of the law, as houses of ill-fame. We do do not find many in Toronto.

Mr. Jury.

Q. Have you the power to enter rooms kept by young men for immoral purposes? A. Not unless we have information that the law has been broken there, that gambling has been carried on or the illicit sale of liquor. I have quite a number of complaints of young men taking rooms for the purpose of playing cards and for other purposes.

Dr. Rosebrugh.

Q. Don't you think that the location of a reformatory near the city is a mistake, and that it would be better far away? A. I certainly think it would be much better away from the cities—as far away as possible, and with as little facility as possible for the inmates to renew association with their old companions.

Q. Do you think the prisoners can communicate with their old chums at the Mercer Reformatory? A. I cannot speak intelligently of this. I might say it has been brought under my notice that women who were notoriously disreputable, who were incarcerated for a short term, formed acquaintance with comparatively innocent women in the Mercer and managed to meet them when they came out. In one instance a report came to my knowledge of a girl from London, Canada West, who had been importuned by a notorious character, whom I had sentenced for fifteen months for procuring girls for immoral purposes. I had information of the arrangement that had been made by this hardened criminal to meet the girl when she came out, but I had the girl sent away about half an hour before this woman arrived. When she found that the girl had gone, she

telegraphed to the conductor on the train, that she would meet the girl at a certain station. The girl, however, declined to have anything further to do with the woman. I was told that this kind of thing was quite a common occurrence, and that the authorities at the Mercer had to particularly guard lest these hardened prostitutes should corrupt the younger ones.

The CHAIRMAN.

Q. Has the system of suspended sentences been tried to any extent as regards youths in this city? A. It has been during the last two years. In some instances it has had a beneficial result, but when youths become welle advanced in criminal ways, it seems to have no effect whatever. Instances have come under my notice in which a boy brought up for the first time for stealing, was discharged, his parent or guardian becoming responsible for his good behaviour, and he came up perhaps a second time, and then the magistrate convicted him of petty larceny, and he got five or six hours in the cells, or was sent to gaol for five days. If he became an incorrigible nuisance to the citizens, and the detectives were looking after him he would be sent to the reformatory. We have quite a number of instances of that kind, and inspector Stark will give you some of them.

Q. Now, is there any special phase of your work that you desire to give us your opinion upon? A. You asked the chief constable a question with reference to the number of arrests for drunkenness, and when he gave you his opinion that crime was largely due to intemperance, he instanced Sunday as a day on which there is very little crime. It occurred to my mind that on the muuicipal election day in the city and on the day of the provincial elections we had not a single prisoner for drunkenness. I think this is a very significant fact, and there are very few arrests from drunkenness on Sunday.

Hon Mr. ANGLIN.

Q Is it not a fact that you gobble up all the known drunkards on Saturday night, and that they are out of the way on Sunday? A. Yes, they are arrested, but I think the absence of arrests on Sunday is mainly because there are no facilities for obtaining liquor. The law is very stringent, and the risk of $200 penalty makes the hotelkeeper very cautious.

Q. Do you think that a reduction of the number of licensed houses would lead to a diminution of drunkenness? A. I would be in favor of it. I believe it would have that effect. We don't require more than one-half of the houses we have now in Toronto. Not more than half furnish proper hotel accommodation, the others are simply drinking places.

Mr. JURY

Q. What about getting drink in the dives on Sunday? A. The number of dives at which liquor can be obtained is very few. This one evidence that there are not many arrests on Sunday shows that.

Hon. Mr. ANGLIN.

Q. I have heard it said that there are from three hundred to five hundred dives in this city? A. There may be so many houses where people club together for drink, but they are not dives where liquor is sold. They are not places where there is any considerable quantity of liquor consumed. There are some small stores where a kind of a smuggled business is done, but even in these places it is mostly after the legal hours for closing on the ordinary days. There are not many where liquor is sold illicitly on Sunday. I speak advisedly, because I have had detectives employed to detect any parties selling liquor on these lines, and they have told me that it was useless for them to go round until after the hours for closing the taverns. The principal time for them is on Saturday night.

The Chairman.

Q. If habitual drunkards instead of being sent for ten to sixty days or six months to the common gaol were sent for periods of from six months to two years to an industrial institution, do you think that would be likely to accomplish better results? A. I do.

Q. Do you think that many of these people are of assistance to their families, and that their being sent away for long periods would lead to suffering and destitution on the part of the family? A. I think in some cases it would be a positive advantage to the family. I think that this class of habitual incorrigibles and wife-beaters are a greater hinderance to their wives and families than anything else. Frequently the drunken husband will beat his wife and abuse her if she does not turn over the proceeds of her hard earnings to him for drink. I have had a large number of applications made to me for orders of protection for this class of women.

Q. Do you think it would do any harm to associate with this class, those known as vagrants and tramps? A. I would deal with them on the same principle. I am speaking now kind of advisedly when I tell the Commission with reference to the tramps that the philanthropic people of Toronto, in providing homes and shelter for the professional tramp have done infinitely more harm than good. I am speaking of the majority of the people who do a little work in the country in the summer time and then drink their earnings and loaf in the gaols in the winter, thus becoming paupers on the community for six months of the year. Some years ago I was the inspector in charge of number four division, one of the stations where provision was made for giving shelter to this class. One morning I counted forty-eight who had taken shelter at the station during the night. A day or two subsequently there were some two or three up in the police court charged with vagrancy. I suggested that a certain number of the worst professional tramps should be charged with vagrancy under the vagrant act, and sentenced to the Central Prison for six months. The magistrate adopted the suggestion, and I think at the time we had about a dozen sent to the prison; the others left the city. From that time we have not been troubled with so many tramps. That class of people don't like hard work.

Q. What would you do with the habitual drunken tramps then? A. I would say sentence them to a long term and provide hard work for them too. I know that this is not popular, but I would recommend it. I would furnish work for this class, and as to the proceeds of it, a portion should go to the support of their family.

Mr. Jury.

Q. Don't you think that the best cure for wife beating is flogging? A. I do not know about flogging. The wife will come up, even in a case of felonious wounding, and beg the magistrate to let him off. Perhaps the best thing under such circumstances would be to make an order for protection and keep her from him. Only the other day I had a woman with seven children like so many steps of stairs, who begged me to give her an order of protection, and yet when the case goes before the court she will appeal herself on behalf of the husband. If I send the drunkard to gaol the wife will suffer, as she has no provision for herself. Some people keep going from bad to worse; at first it may be simple drunkenness and then the man becomes violent and a wife beater.

Hon. Mr. Anglin.

Q. What do you think would have the most deterrent effect when a man arrives at that stage? A. I would keep increasing the term of imprisonment, and if he did not benefit by that I would put him in the hands of Warden Massie. He knows how to deal with such men.

Mr. Jury.

Q. He says he treats them so well that they don't like to leave him? A. My experience is different from that. There is both work and discipline there, and the prisoners are treated so that they don't want to go back there again.

The Chairman

Q. Do you think that that is the correct idea to go abroad as regards a prison? A. Unquestionably I think so. The object of the law is to deter criminals from committing crime and to reform the prisoners and protect the public. I do not see any use in sending a man to prison for so many days. I am strongly in favor of the indeterminate sentence system. There is another matter I should like to speak on—that is, with reference to a place of temporary accommodation for children in preference to putting boys in the lock-up. I think there is an absolute necessity for some place of confinement for the class of boys that the chief constable was speaking of. I have urged frequently at meetings of the executive of the Humane Society, the need for the establishment of a home of this kind under their auspices, where children picked up wandering in the streets begging, should be placed instead of being locked up in the police station. They could be sent there until proper enquiries were made into their circumstances and surroundings, and even if children are taken from drunken and disreputable parents keep them from mixing up with criminals. I think it is very prejudicial to take children who are not really criminals to the station or anywhere else where they would be associated with criminals. When once a child is placed in gaol the dread or fear of that kind of punishment is taken away, and as regards young men and young women, who perhaps break the law for the first time, they seem to lose their self respect once they have been sent to gaol. For years and years I have had the greatest reluctance to put persons in that position. I have used discretionary power myself, and have been very careful not to lock up a person for a first offence if I could help it, because it destroys their self respect, it destroys their pride in saying that they have never been in the hands of the police.

Dr. Rosebrugh.

Q. Do you think that these boys should be tried separately from the other prisoners? A. I would be in favor of that.

Hon. Mr. Anglin.

Q. You heard me question the chief constable as to the desirability of establishing the Probation system of Massachusetts here. How do you think such a system would work here? A. I certainly would approve of the Massachusetts system as regards the city of Toronto, but it would require a large staff. The department of which I am the head works on this line now to a certain extent, but the difficulty is that we have no place to put these children for the present. A law for the reclamation and protection of neglected children was passed last year I think. It was either in 1888 or 1889 and it came under the Industrial Schools Act. It gives the authorities power to take the children of dissolute parents away from them, and we can act upon it now. I think nine or ten girls have been taken under those circumstances and committed to the girls' home. There is authority to detain them in any institution which is under the supervision of the Inspector of Prisons. The magistrates have power to commit them for a definite period until they are sixteen years of age.

Q. The object of the Massachusetts system is to keep them in their own homes, or if these homes are not satisfactory, to find other homes for them, but they remain under the supervision of the department of the State until they attain the age of twenty-one? A. Yes, but there is some difficulty, I think, in carrying out the principle as regards this city, but I would be in favor of taking any measures for the protection and reformation of juveniles, because there is no doubt that it is from the juvenile offenders, the adult offenders come, and if the children are saved there would be very little trouble in dealing with adult criminals. Then another recommendation I would make is with regard to the enforcement of the law in respect to criminals and vagrancy. I am strongly in favor of longer terms of imprisonment and the adoption of the indeterminate system. I think if that principle were carried out to any large extent we would soon get rid of our criminals.

Q. Does your system enable you to report with any degree of accuracy as to the number of times that prisoners are convicted? A. Our records show the number of times that individual prisoners have been brought up.

Dr. ROSEBRUGH.

Q. I have been long of opinion that the police court, as now constituted, is largely the resort of idle and vicious characters and my information is that a great deal of harm is done through this. What is your idea? A. I know that it is a bad place for a man brought by mere curiosity, but it is an open court, and unless you entirely change one of the most important features of our system of justice I do not know how you can alter it.

Mr. JURY.

Q. It is one of the most important principles of British justice that a man shall be tried in open court, is it not? A. Yes.

Hon. Mr. ANGLIN.

Q. Do you think that as a result of the reduction in the number of taverns there has been a decrease in the number of arrests for drunkenness in the city of Toronto? A. I think, in proportion to the population, there has been a decrease.

JAMES MASSIE, Warden Central Prison, recalled.

The CHAIRMAN.

Q. I asked you last night whether anything approaching good results, in point of discipline, could be obtained in a prison without a proper labor system? A. No, they could not.

Q. What are your views of an ideal prison labor system? A. We have had all the systems in operation in the Central Prison during the ten years—the piece price system, the contract system and work on Government account. I approve of the work being conducted on the Government or state account principle. I like the system that we have with Nelson's people, that is, on the piece price principle, but I don't know anything else that you can take up in the same line.

Q. Under the state account system, I believe, you buy the material, manufacture the goods, and put them on the market yourself? A. Yes. Our prison comes up to my ideal in some respects since we started operations in the south shop and manufactured goods for the public institutions, and since we began to carry on our brick operations and our tailor and shoe shop. I would go further than this and take up certain lines where we employ a few men in a particular industry, classing them as far as possible where the output was small, so that they could not interfere with free labor outside. My suggestion is that we should manufacture certain kinds of goods, and then periodically, yearly or quarterly, whatever it might be, sell them as prison goods. Then the state would have a return for whatever the prison labor may be worth, and if the number of industries were extended the output in any one line would be very small. I believe that the industries of a prison should be diversified. It is better for the prisoners, for you are likely to bring out the capacities of the individual.

Mr. JURY.

Q. If you confine your labor to one particular industry, the man who when his term expires seeks employment outside in that line is met with the rebuff, "Oh, we won't employ him, he is a gaol bird"? A. We find that to a certain extent now. We try to get an occupation for a man that he is likely to make a success at. When we get a young lad, I ask him, "Would you like to be a tailor?" and if he says he would we put him in the tailor shop. If we find that he is not a success there we try him at something else, and if we were limited to one or two lines we could not succeed to the same extent.

The CHAIRMAN.

Q. If it was found that there was a suitable industry not now carried on in the Province at which you could employ your prisoners, do you think it would do any violence to the labour unions to adopt this form of industry in prison, first of all taking care to inform the public generally that you intended to do so, and then pushing it on as a prison industry with all your might? A. I think no fault could be found with it. I think it would be a very fair thing to do.

Q. What would you think, for instance, of manufacturing binding twine. It is very necessary for the farming community. The manufacture of it is now largely in the hands of a combine. Would that not be a good industry for the Central Prison? A. If it is not manufactured in the Province it would. I think it would be a very desirable thing, and I will be very glad to take it up. The manufacture of woollen goods and of iron bedsteads and the other industries are suggestions of my own, but binding twine I never thought of.

Q Have you the facilities for carrying on that manufacture there? A. We have plenty of room.

Hon. Mr. ANGLIN.

Q. There is a strong objection to the adoption of any employment requiring skill in prisons, because, when you turn the prisoners out, they enter into competition with those who are earning their living at such industries outside? A. I think it is for the benefit of the man, if he had no occupation before, to give him one, so that he may be able to earn his living when he goes out. The larger proportion of these men, when they come to me, have no knowledge of mechanical work; they are humble labourers.

Mr. JURY.

Q. But even if they are humble labourers, other honest men have to labour all their lives and why should these men because they have committed a crime have an advantage over others who are struggling to earn a living, and who have never committed a crime? A. I do not say that they ought. I would go further than this, I would increase our operations in this direction. I think, as regards a man who is continually neglecting his family, falling into drunkenness and committing crimes I would send him in under indefinite sentence to the Central Prison, and after deducting the cost of his maintenance from his earnings, I would pay the balance to his wife and family. I think that ought to be done. There are a great many women who suffer very much in consequence of the treatment of their husbands. They won't work, but they can be made to work when they are in the Central Prison, and it really would be better for the wife and family if such a man were sent there. If the bond of affinity is once broken between a man and his wife it can never be welded into its original condition again, and therefore I think that in the interests of all parties such persons should be kept separate.

Dr. ROSEBRUGH.

Q. Could it not be so arranged that short time men and incorrigibles who are not likely to reform could be kept at the binding twine while the other classes, for whom there might be hope of their turning out useful citizens were employed in other directions? A. We send nearly all confirmed prisoners to the broom shop, and when we get men that we think are likely to turn out well, we put them to the various other occupations.

Hon. Mr. ANGLIN.

Q. Do I understand you to say that you now allow some prisoners a portion of their earnings? A. As far as we can we carry the principle out. In the brick yard we give so much to the men who have charge of the machines. We give them a stint of 9,000, and there are twelve men to each machine, and whatever is done over this is paid to the men at the rate of 25 cents a thousand to some, going all the way down to 6¼ cents. Some of these men, from the beginning of May until the latter part of October, would

make as much as $60. In the broom shop we give a stint. I think it enables those who have been a certain time at work to contribute a great deal to the support of their families if they have any, or of their mothers. We carry the principle out to some extent as regards the blankets and tweeds. Whatever is manufactured over the stint it is difficult to keep an accurate record of, and so we regulate it by making it from 20 to 40 or 50 cents a day.

Mr. Jury.

Q. Does this obtain in the tailor shop as well? A. We work it differently there; we pay a man about 10 per cent. on the value of his work.

Q. You don't have a stint? A. We are making all sorts of clothing, so we could not do it very well.

Q. Oh, I should think you could; the tailor could draw up a schedule of prices for the different articles? A. This again would involve a good deal of perplexity as regards the various items.

Q. Do I understand that bricks are made by hand, and that twelve men only make 9,000 a day. A. They run up to 10,000 or 11,000, but we make 9,000 the stint.

Q. Do you make six bricks at a time in the machine? A. Five at a time.

Hon. Mr. Anglin.

Q. Do you regulate this system so that the poor fellow who is not a mechanic can earn something? A. We regulate it this way, by paying so much to the expert, so much to the average man. The principle we go upon is not so much what the expert can do. Of course, we make no distinction as to the rates.

Dr. Rosebrugh.

Q. Do your men ever break down? A. No, we never work them so hard as that.

Mr. Jury.

Q. How do you find that your men's work compares with that of free labor outside? A. We don't do anything like the same. In 1888 the government wanted four or five million bricks for the new parliament buildings. We had not men enough in the prison to supply all these bricks, so we had to get men in from the outside. The free men made four or five thousand a day above the quantity made by our men. We regulate our work at a much lower basis than that done by labor outside the prison. Our stint in the broom shop, after a prisoner has learned his work thoroughly, is such that he can get through it very nicely in about seven hours, and then he would have about three hours for himself if he wanted it.

Q. How is the piece price system carried on in the prison? Does Nelson find the raw material and the superintendents? A. Yes.

Q. Do the machines belong to Nelson Brothers, or to the government? A. To the government absolutely.

Q. Do the Nelsons pay any royalty? A. Oh, no royalty while we manufacture the brooms for them.

Q. Does Nelson determine the value of the work? A. Yes: I may say that they have an excellent man, a superior man, as foreman.

Q. What do you do with the articles that are not considered up to the standard? A. The rejected brooms are not half sufficient to supply the wants of the prison. There is a standard fixed, and we make our men work up to it. I think it is better for the men themselves that they should be taught to do their work well.

Q. Who is responsible for the raw material? A. The Government.

Q. Do they pay the insurance on it? A. No, the Nelsons themselves look after that.

Hon. Mr. Anglin.

Q. Your last report states that "the wood-working operations in the north shop have not been so satisfactory as could have been desired, only $3,967.82 having been received on account of the labor for the year, while it should have been $7,729.94." You say that you then hoped for a better condition of things. Has this been realized? A. Yes, fully up to my expectations.

Q. What improvement have you been able to establish in your wood-working establishment? A. We have been twelve months experimenting there. I may say that that is a most difficult trade to deal with.

Mr. Jury.

Q. In your report where you say you are making so much money per head by the prisoners, you don't make any allowance for interest on capital? A. When we entered into this work we thought it right that we should calculate the amount for each prisoner employed over and above the salaries of the foremen and superintendents of the work. We have not yet been able to get it on a satisfactory basis. You see we have been twelve months experimenting, and I am really not prepared to speak clearly upon the wood-work.

Q. I was speaking of the broom shop. You claim to have made a little more money, and you take credit for the increase made by the prisoners' labor. You say that under the new arrangement it may safely be estimated that the labor will average about 50 cents per day for each prisoner, and that a substantial increase from this industry has marked its progress for the last nine years. You say that in 1887 the daily earnings averaged 17 cents, but for the past year they have been 42 cents and under the new agreement they have been 47½ cents, but you don't allow anything opposite that for the additional interest that the Government are paying on plant over what they paid when the Nelson's owned the plant themselves. A. It did not amount to much. We owned all the plant except the new stitching machine.

Q. You did not always own the wood-working machines? A. No.

Q. You have had to purchase these? A. Yes.

Q. Do you allow anything for interest on this capital in figuring out the increase per head? A. We have not taken that into account.

Q. I notice in the inspector's statement of the prison work that you say that in the tailor shop your expenditure for the last year was $5,113 51 and the income was $3,967.22, how do you account for that? There must be some way of accounting for it, I suppose. A. You must have made some mistake about the figures. The upper columns show the expenditure, and then down below you will see the returns from the various industries, and you will find there that the revenue derived from the tailor shop amounted to $5,501.92.

Q. Well, but that is very little over what it cost, A. You see in that year and indeed for some years past, there has been very little done over making the prisoners' and the officials' clothing—that is the clothing required for the gaol This year we had to buy a large amount of Etoffe, and that would account for a larger expenditure in the figures for the year.

Q. Don't you take credit for the labor that you do? A. Yes, but very likely there would be an account to be paid at the end of the year for material that would be used during the next year, and thus the expenditure for that year would appear larger than it really was.

Q. In the year previous the expenditure for the year is put down at $6,467.90 and the revenue at $5,797.15. There you see your revenue is considerably less than the

expenditure upon the industry. A. The chairman will be able to explain to you that this statement does not correctly represent the earnings of the shop for the entire year. It is simply for the prison year which ends on the 30th of September, and sometimes there would be a large amount of material in the store department, and the accounts for this would be charged against that year's revenue.

Q. Now, as regards the brick-making, you don't charge the Government for the bricks that were made. A. That comes in another way. We say that there will be $30,000 in addition to that. These are not really the correct earnings of the several industries.

Q. Is it not a pity that statements of this kind should be made out incorrectly. A. It is. These do not represent what has actually been done there.

Hon. Mr. ANGLIN.

Q. There is no other statement made in the report relating to this except your general report? A. There is no public statement, but the information is all before the Department.

The CHAIRMAN.

Q. Take the year 1888. The whole of the industries, according to this return, cost $35,005.02, and your revenue is $30,136.43, but you don't show where the brick yard sales come in. A. They don't appear there in our statement, but they appear in the books of the treasurer. In my report the amount is given, for it shows that about four millions of bricks have been made, representing a value of about $24,000.

Mr. JURY.

Q. It would make it look very different for the prison if that appeared in its proper place? A. It would.

Q. In your report, in the paragraph next to the bottom of page 90 of the reports on asylums and prisons, you state, "The question is often asked by visitors whether or how near the prison comes to be self-sustaining, prompted to ask it doubtless from the general appearance of the prisoners and the activity displayed in the several industrial employments at which they are engaged. To that goal the prison has not yet attained and it may not be attainable; but when the returns show that the products of the labor amounts to $53,527 against an expenditure for maintenance of $65,000, and this with prisoners under an average term of sentence of about six months, the management may fairly claim that the showing is creditable to say the least, and they can safely promise that still better results may be looked for; 568 of the 739 prisoners received were on sentence of six months and under. In taking the $53,000 odd earned by the prisoners you must include the amount in the brick yard. A. Yes.

Q. And you only take the bare cost of maintenance—you don't take the cost of running the industries? A. I think everything is fairly taken into account. You see it is the maintenance only that you have taken into consideration.

The CHAIRMAN.

Q. Are not all the wages included in the $65,000 set down for maintenance? A. No. Oh, I am wrong, I think this $65,000 includes all the salaries.

Q. The trouble is that these statements are made up for the official year ending the 30th of September, and the treasurer's statements are made up for the ordinary year. However, the difference averages itself in the course of a few years. A. Yes

Mr. JURY.

Q. If you take the whole of your expenditure, I mean the whole amounts that ought properly to go under that head, maintenance, wages, plant and everything, it would be $96,381.17 and the revenue $53,527. A. Oh, yes, but in the industrial expenditure there might be quite a large amount for machinery, material that we have on hand at the time.

Q. According to the way you make out your accounts the total cost to the country is $42,000 odd? A. Yes, but as I have said the manufacturing expenditure includes large amounts that are not properly chargeable to the year.

Dr. ROSEBRUGH.

Q. When the Commission were in Detroit they were told by Captain Nicholson that he was able to pay a large amount, some $15,000 odd, to the city as a result of his work for the last year after defraying all the expenses of maintenance. Do you account for this in any way, seeing that you are unable to make the revenue approximately cover the expenditure? A. Captain Nicholson receives from the counties which send their prisoners a certain allowance per head for their maintenance; then he also receives a considerable sum for the United States prisoners, and then they sell goods direct to the trade and the whole profit goes to the prison. Then they only carry on one industry and concentrate all their energies on that. The result is that they are more successful financially than if they had diversity of industries.

Mr. JURY.

Q. Don't you think that if you conducted all your industries on the same plan you could do much better than you are doing? A. I believe we could from a financial point of view, but it would interfere with the reformatory work of the institution very much. Then I think at the Detroit House of Correction Captain Nicholson has not much more than half of the staff that we have. Then he does all repairs both to his prison and to his house, and makes additions and alterations just as he sees fit. I do this, and it does not show here in the statement. You see the entire south shop and the machine shop were remodelled and fitted up, and additions were made to them by prison labor. We made a number of alterations in the prison.

Q. And they were done entirely by prison labor? A. Yes, all the alterations you saw were the result of our own work.

Q. It is a pity that you could not supply a debit and credit account for everything so that we could see exactly what the cost of the prison was. A. This $96,000 really shows what the cost was. If we did not keep our own cows and grow our own vegetables it would be considerably more, so that you really arrive at the actual cost of the prison from these figures.

The CHAIRMAN.

Q. The Central Prison was established as an industrial prison in order to do away with the idleness in the common gaols, was it not? A. Yes.

Q. Do you believe that it has fulfilled its object? A. I think so.

Q. Do you think from your knowledge of the common gaols that hard labor could be carried on at these local establishments? A. Not successfully unless you adopt the cellular principle as it is carried out in England.

Q. What industries do they carry on there? A. They have various kinds of work, making of mats, ship fenders, that is work that I found largely engaging the prisoners.

Q. Did not you find a number of them picking oakum? A. Yes, a little, and I found at Pentonville a number on the treadmill. They were grinding flour. At Portland they were quarrying stone.

Q. Do the gaols in Great Britain correspond to our county gaols? A. Of the 117 gaols that were in existence in Great Britain prior to 1876 I think only about one-half remain now, and those which remain have become the centres of large districts. At Edinburgh you find a large prison drawing prisoners from all the southern districts of Scotland on the eastern seaboard. There are two in Glasgow and one in Aberdeen.

Q. Who are sentenced to these district prisons—felons? A. They distinguish between a prisoner and a convict. Those who are sentenced for over two years are convicts.

Q. Are there any convicts in those local prisons which you spoke of? A. I found convicts in some of them, but only in some of them. They are generally moved to the penal establishments.

Q. They have no common gaols where prisoners are sent while they are awaiting trial. A. The prison serves two purposes—the detention of prisoners pending trial and the punishment of those who are convicted and sentenced to the shorter terms of imprisonment.

Mr. JURY.

Q. Do you find shot exercise or anything of that kind still in existence? A. No, I do not find it anything like general. Pentonville was the only place where I saw it.

The CHAIRMAN.

Q. Is it possible for a prisoner to be sent to one of these prisons and to remain there six months and never see a fellow prisoner in the institution? A. If he is a convict he goes for nine months into solitary confinement and sees no one. The ordinary prisoners are taken out, so many for drill exercise, into the circular court; the officers are there watching their every movement, and they walk for an hour at a time.

Q. Is speaking strictly prohibited? A. Yes, and they won't allow a man to wink or nod or make any sign of any kind to another prisoner.

Q. I want information as to the system in the common gaols. Is there any association of those awaiting trial? A. They never see each other except when they take an airing.

Q. What is the method of constructing these prisons? A. They open now into a centre corridor with cells on both sides. The cells all look out upon this. There is a window to each cell, but there is no possibility of the prisoners seeing each other.

Q. Are there iron bars in the cells? A. No. The cell blocks are all built inside

Q. Is the cell surrounded with stone walls? A. Yes.

Q. How is it lighted? A. Through the window in the main walls.

Q. Do you think it is absolutely impossible for prisoners to communicate with each other by word or sign at these establishments? A. It is impossible for the ordinary prisoners to do so, but amongst the old convicts who have been in for a long time there is a system of signalling by some means. They communicate with each other by so many taps. They never let more than one man out at a time, only one man at a time is taken down to the baths. I did not see more than two baths altogether. The food is always taken to the cell.

Q. That is the cellular system properly carried out. Do you believe that it is a great improvement on our system? A. As a corrective for the prisoners it is.

Q. You think it is a deterrent on the commission of crime? A. I do decidedly.

Q. Do you think it is just right for a man charged with a crime that he should be confined in this way pending his examination and trial? A. Oh, those awaiting trial are not subjected continuously to this kind of treatment.

Q. They are in association, are they? A. No, they are not in association. The cellular system in England means that a convict is sent to one of these prisons, and he is kept there nine months, sees nobody, and then after this he may be removed to Peter Head to quarry granite or some other place to quarry stone, and then they are on the associate system.

Q Have you heard any objection to the system? A. No. In speaking with Mr. Wheatly, of London, who is a great authority on all these matters, I was informed that they were satisfied it had resulted in a great diminution of crime.

Dr. Rosebrugh.

Q. Is it approved of by the Howard Association? A. It is.

Q. Do you think that crime has decreased in England on account of this? A. It has decreased, but there are various reasons for it. Old criminals in England are dying out, and there are so many efforts put forth in the large cities to save the young that there is a great reduction in the number who are now falling into crime. As the old fellows are dying off, there are not the same number to take their places.

The Chairman.

Q. What do prisoners think of this system? A. Well, they seem to be satisfied, but they said it was somewhat lonely.

Q. Can you tell me what was the primary object of establishing the cellular system in England? A. I think it was to prevent association.

Q. Do you think it has an injurious effect upon the prisoners? A. I do not.

Hon. Mr. Anglin.

Q. Did any of the authorities there—men of experience, say whether the solitary confinement for nine months of these convicts tended to make them better men than they were before? A. In asking this question I received different replies. The governor of Pentonville said on this very point that while the convict was more under restraint it did not injure his health, but he could not say that the men were really reformed by the treatment they underwent: but the idea given was that it was a proper system for dealing with this class.

Mr. Jury.

Q. Are there not many other social forces in England, besides the one you have mentioned, which have had an important effect in diminishing crime? Don't you think that temperance societies, trade societies, improved education, free trade, cheap food for the people, all these things have had an important bearing in that respect? A. There is no doubt they are doing excellent work. You see there the middle class is gradually, constantly lifting up and absorbing the lower strata of society, and it is due to the middle class, in my opinion, this lessening of poverty and crime in the large cities, more than any other. There is nothing like the amount of brutality, of offences against the person, that there were twenty, thirty or forty years ago. It was the exception in the prisons in England at that time to find a man who could read or write, but now it is the exception to find a man who cannot.

Toronto, November 14th, 1890.

Present—J. W. Langmuir, Esq., Chairman; Hon. Chas. Drury, Hon. T. W. Anglin, Dr. Rosebrugh, A. F. Jury, Esq.

William Stark, Inspector of Detectives of the Toronto Police Force, sworn.

Mr. Jury.

Q. How long have you been inspector of detectives? A. I was appointed three years ago last July. I have been in the police force since 1869.

Q. When you are dealing with criminals do you enquire into their antecedents? A. Yes. My position gives me the opportunity of getting knowledge of their previous life, antecedents and associations.

Q. What do you find has been the chief cause of these men falling into criminal courses? A. The deplorable lack of parental control when young, is perhaps the first and greatest cause, but intemperance is an important factor in producing criminals. The great majority of those who develop into criminals commence that life young.

Q. We have been told that the most hardened criminal, the clever criminal, is a sober man, and cannot afford to be a drunkard? A. That is true in many cases. Generally in early life they gradually drift into disreputable habits. As they grow older they become experienced as thieves, and some of them drift gradually down and become drunkards and are driven to steal in order to get the means of satisfying their appetite for drink. Their crimes have caused them to fall into drunkenness, but at times even the cleverest criminals have their jamboree. Nearly all have this occasionally. They drink more or less. It is very seldom that you find a criminal a total abstainer. Even amongst gamblers you find very few abstainers.

Q. What are the other causes of crime? A. The neglect of children may be brought about by intemperance on the part of the parents. But there are a great many sober people whose children grow up into crime, and this is because the parents have allowed them to run around the streets. They form bad associations upon the streets and they drift into crime. These bad associations create a spirit of recklessness, so that when they get up to be young men they cannot bear to be tied down to constant employment. They drift about, they want to go to places of amusement, they want to be fashionably dressed, they drink and smoke cigars, and if they cannot have money to do this they steal it and commit crime.

Q. Don't you think that the strict enforcement of the compulsory features of the education act would create more regular habits? A. I do.

Q Inspector Archibald was asked a question yesterday, which he thought you would be better able to answer. What is the effect of second-hand stores or junk shops upon juvenile crime? A. They had a bad effect at one time. Up to a few years ago any person who liked could deal in second-hand articles, but the legislature passed an act giving power to impose a regular license upon this class, and now no man can get a license for a second-hand shop without a recommendation from the police department. They are now under such strict surveillance that they are not, to any extent, a factor in crime.

Q. Do you think that in towns where second-hand stores are allowed to exist without being under the surveillance of the police, they are a source of crime and a danger to the community? A. They should be under the police authorities. When they know that the holding of their license depends upon the police commissioners they are very careful, if any suspicious circumstances come under their notice, to notify the police department. A police officer inspects their books every day. Not only this, but they have to send to our office every morning by ten o'clock, a statement showing all the purchases that they made on the previous day.

Dr. Rosebrugh.

Q. Does this rule apply to pawn shops? A. The pawn shop books are open, but the same regulation does not apply to them.

Q. Do you think that the pawn shops encourage crime? A. Not to any extent.

Mr. Jury.

Q Do you think there is any other great cause of juvenile crime? A. There is a pernicious system, so far as the city is concerned, of exposing goods in shop doors, and this has a great deal to do with starting boys in crime. They commence stealing an apple, and they go on hooking, it may be fruit one day, clothes the next, one thing after another, until their moral sense becomes absolutely blunted, and they drift into larger crimes After getting your notice yesterday, I looked over the records to find out how

many boys were convicted from the first of July until the end of October, of all classes of felonies, housebreaking, shopbreaking and so on. The number was 213. The great majority of these were tried in the police court, very few were tried in the county court. Out of this number 73 were boys between the ages of seven and fifteen. Seven years of age seems very young, but there were three only seven years of age, and you will be surprised to hear that there were three convictions recorded against them for breaking into houses and breaking into business places to steal money and jewellery. The magistrate did not think that sending them to gaol would do them any good, and he simply let them off, hoping that the parents might take care of them. In less than three weeks they were back again The parents say they can't control them. The idea of parents not being able to control children of that age is absurd The children belong to respectable mechanics who, I believe, never saw the inside of a police court until they came up when their children were charged with this offence. I will put another case in which there were five boys, not one of whom I believe had reached the age of fifteen. Two had been previously convicted of trivial offences. The others had not been. These five boys were sent to the reformatory. There were twenty different charges of housebreaking against them during the summer. They broke into houses belonging to people who had removed to the island or other parts during the holidays. We were at work on the cases for a considerable time, and could not conceive who were the gang that were so dexterously carrying on this practice. We ultimately got a clue and found that these boys were doing it. They took nothing but money and jewellery. The money, of course, they squandered. With one exception these offences were committed at night, and this shows where the lack of parental control comes in.

Hon. Mr. Anglin.

Q. How did they dispose of the jewellery? A. Well, you would be surprised at the class of people who buy this sort of thing. At hotels you will find parties who are ready to buy anything of that character. Respectable business men will buy these goods and they will sell the nuggets to jewellers.

Q. There are a great many lead pipes taken from houses? A. Yes

Q. How do they dispose of them? A. These, in many cases, are melted down and sold. Licensed dealers will buy these. It is in lumps of lead, and nobody can identify it.

Mr. Jury.

Q. Don't you think it is a mistake on the part of the police authorities to allow boys to congregate all day upon vacant lots of land? A. Complaints are constantly made of boys congregating on places like that, but the excuse is put forward by parents that the boys must go somewhere. There is no doubt this is how our criminals are made. The parents will not look after them, and they grow up gradually in criminal ways.

Q. What do you think would be the effect if public playgrounds for boys were opened up under the surveillance of the police? A. I think it would be a good thing. It is much to be regretted that these boys are allowed to assemble on these lots and at the corners of the streets, which are just manufacturing places for criminals. You will find boys there who ought to be in their beds at night.

Q. If the truancy system were put in force as it ought to be, you would have no boys on vacant lots? A. No.

Hon. Mr. Drury.

Q. Yet, if the law only requires attendance for one hundred days during the year, and that is the law now, there would still be a considerable length of time during which there might be idlers? A. Yes. The most dangerous time of the day is the evening, after dark. That is the time when there are facilities for shop-lifting. They see a basket or a barrel of apples. They see other fruit laid out in boxes, and they say to each other, "You steal this, I stole the last," and that is the way the thing is worked.

Mr. JURY.

Q. Is the machinery for the suppression of crime better than it was when you first became an officer attached to the force? A. Well, if I said yes to that question it might sound a little egotistical. I am afraid that juvenile crime is increasing. The figures this year, so far as juveniles are concerned, are startling.

Q. You must know that in some cities when they attain a certain stage in their growth, there is a distinctly criminal class. Has Toronto a population that actually lives on crime? A. Yes. We have a class of thieves who have been committed three, four, five, or even a greater number of times within two years, who are never known to do anything but loaf about, and who are always well dressed. I look upon these as belonging to the criminal class.

Hon. Mr. DRURY.

Q. You don't regard them as likely to be reformed? A. No, not under the present system.

Dr. ROSEBRUGH.

Q. Would it be any hardship to pass a by-law compelling people to keep their goods within the shops? A. If every man were compelled to do this it would lead to a great diminution of juvenile crime. I might give you the total figures as regards the remainder of the 213 who were convicted during the summer months. I have told you that 73 were between the ages of seven and fifteen. Between the ages of sixteen and twenty there were 32 convicted. Then between the ages of twenty-one and twenty-five there were 26, and over twenty-five years there were 82. Of those 73 juveniles between the ages of seven and fifteen, 52 were born in Canada, a large number in Toronto and others in different parts of the Province; one or two in Nova Scotia, one in New Brunswick, six in the United States and fifteen in the old countries, England, Scotland and Ireland, one or two were from Italy, and one or two from France.

Mr. JURY.

Q. Were any of these imported by these charitable societies? A. I do not think there was one. Those born in the Old Country were brought out by their parents. Then of those from sixteen to twenty years of age 16 were born in Canada, four in the United States, and twelve in the Old Countries in different parts. Of the 26 between the ages of twenty-one and twenty-five 14 were born in Canada, two in the United States and ten in the old countries.

Q. Do you find Toronto boys as bad as any? A. Yes, they are bad enough. We can hold our own with bad boys.

Hon. Mr. DRURY.

Q. Don't you think that we have enough boys to take care of belonging to ourselves without bringing from the slums of the old country the children belonging to the degraded classes who form the lower strata of society in the large cities? A. I do. I think it is a mistake to bring these boys and girls here and dump them in the towns and cities. If they could put them on farms, or in places where they would be properly cared for, they would be all right perhaps. We occasionally get correspondence from all parts of the country from people who have had this class of boys, from farmers, for instance who have employed them, of their having taken advantage of opportunities for stealing money and clearing away, and when communications have taken place, or enquiries have been made, we have elicited the fact that they were brought out by Miss so and so, but we don't have many of this class in our own city. They are not in sufficient numbers to materially affect the general proportion of our own criminal population.

Dr. ROSEBRUGH.

Q. Of the 73 boys, how many were children of the better class of parents? A. A great many were children of respectable working people, boys who ought to have been

well brought up. A great many were children of parents who never saw the inside of a police court themselves. A number of these I may say too, are boys who have grown up in the city as newsboys and bootblacks. Probably not more than one-fifth belong to the newsboy and bootblack class Four-fifths would belong to the families of industrious people, who have lost control of them.

Hon. Mr. DRURY.

Q. You are of opinion that the reformatory or penal system is defective; what would you suggest by way of improvement? A. I am strongly in favor of the indeterminate sentence as applied to habitual criminals—criminals who have demonstrated beyond a doubt that they have determined to live by crime. What I take to be the object of the law is to protect the public, to prevent the commission of crime, and to reform the criminal if possible. If this can be accomplished by mild measures, good and well; if not, we ought to adopt measures sufficiently severe to enable us to accomplish this, and if we cannot obtain this result by any other means, the prisoners ought to be locked up permanently. After a man or woman has developed into a habitual criminal, after they have shown that they are determined to live a life of crime, let them be sent to prison somewhere—to a place where they would be compelled to work and work hard. By this means you protect the public and you prevent this man's bad example having a bad effect upon others. If you take 75 characters in Toronto and permanently shut them up, you protect society from depredations, protect society from their bad example, you prevent their getting married and propagating criminals; but I do not look to that so much. You see, there are a large number of boys who come from respectable parents, and as regards these the theory of heredity does not bear at all. Of course, there are many instances where criminal parents bring up criminal children, but these children are allowed to grow up in the streets, and then there is the influence of example more than heredity. So far as small boys are concerned, I look upon the Industrial School as a splendid institution, which is doing a lot of good amongst juveniles who are likely to develop into criminals. At the present time a large number of boys are there doing well, boys who, had they been left to the care of their parents, would have been serving sentences as criminals to-day. Still, there is a disposition on the part of some people to relegate to this institution a duty that they ought to discharge themselves. People come to the police very often and ask that their boy be sent to an industrial school. He has got beyond their control they say; it simply means that they want to get rid of him. We had a case the other day where a boy, nine years old, was brought to us by his mother, who thought she would like to get him into the Industrial School. There is no reason in the world why the father should not be able to control this boy. His father is alive, a young, vigorous working man.

Hon. Mr. DRURY.

Q. Do you think that there are many really bad boys in Mimico? A. Perhaps not really bad boys, but they would become bad if they had not been taken care of. I have no doubt that they would, in the majority of instances, have developed into criminals.

Q. Ought those three boys you spoke of to have been sent to Mimico, or would it have been wise to send to Mimico boys with such a strong tendency to crime? A. I think that before those three boys would contaminate the school their evil propensities would be thoroughly kept in check; but I see no reason why the parents should not control these boys. In regard to the prison system, I may say that the Central Prison I look upon as the model institution of the country, so far as the treatment of criminal goes, and there is no better evidence of this than when you see a man going before the court and asking that his sentence may be doubled in order that he may be sent to the penitentiary instead of the Central Prison. The reason, I believe, is the strict discipline at the prison.

Mr. JURY.

Q. What effect has hard labor in the way of effecting the criminal's reclamation? A. I do not know but it inspires him with a wholesome dread of the institution. It is

from a punitive point of view that I regard it more especially. I have no doubt, however, that when the term is sufficiently long, it accustoms the man to hard work, and he has less objection to earning his living afterwards. Kingston Penitentiary I know is looked upon by many as a sort of resting place, a kind of a home. If a man comes in and says, I have been in the Central Prison, and I have been in the penitentiary, he will invariably say that he prefers the latter, and if you ask him what is the matter with the Central Prison, he will say, "The work is too hard, we don't get any show there, the discipline is too strict."

Dr. Rosebugh.

Q. Can you say the same thing of the Mercer Reformatory? A. That is an institution my department has not much to do with, but my impression is that it has not accomplished all that was expected of it in the way of reforming these fallen women. Perhaps there is something in the fact that the sentences are too short. Send a woman to the Mercer Reformatory for six months, she comes out and finds her old associates much the same as when she left them. If you were to put her out of the way for three or four years, the chances are that by that time her old associates would all have gone away or have died off. The same argument applies to the higher class of criminals, thieves for instance. Send a thief to the Central Prison for six months, he comes out and he mixes up with his old associates again and follows his old career, but put a thief away for six or seven years at a time, and when he comes out, the gang of his old associates is broken up. In this prison arrangement the weak spot seems to be here. I believe that a good many are sent to the Central Prison, the gaol and the penitentiary, to whom these remarks apply. A person has been convicted perhaps once or twice. When he comes out, if there were any means of getting him into honest employment, I believe he would become a respectable and honest citizen, but when he has completed his term, the door is opened and he is merely dumped out. He has no means of finding employment, and he has got to steal or starve.

Dr. Rosebrugh.

Q. What has been the effect of the treatment of Penetanguishene reformatory upon boys? A. good many of them come back upon our hands after being released from the reformatory.

Q. Can you give us any idea of the number that come back after being releasad? A. No, I do not know that I could.

Q. Do more than half come back? A. No.

Q. Would a third? A. No.

Q. Well—say there is a fourth? A. Yes.

Q. There is no after supervision. A. No. You send a boy up there when he is young: he comes out at the end of five years and he may go by another name altogether.

Q You have the impression that the institution is doing good work. A. I would say that the reformatory at Penetanguishene does good work, but while it does good work I question if it is doing so much as might reasonably be expected from it.

Hon. Mr. Anglin explained to the witness the Massachusetts system of Probation as set forth in the evidence given before the Commission at Boston and asked: Could such a system as this be carried out effectively here in Toronto, and if carried out do you think that the lax and indifferent class would be stimulated to a better discharge of their duties as regards their children? A. There is no doubt the system can be carried out with a sufficiently strong staff.

Q. What would you say as regards the private investigation in preference to trial of children in the police court? A. I am not quite satisfied that this would not, to some

extent, intensify the evil we are trying to correct. Respectable parents whose children get into trouble have a wholesome dread of a police court exposure through the press. This acts in some degree as a deterrent and prevents them from going wrong.

Q. There is another view of it and it is that the children are brought into the public court, exposed to the gaze of all the crowd who usually gather there, and become in a very short time hardened, callous and unmanageable? A. I do not attach so much importance to this as some people do. I do not think it has an effect upon them to the extent that some people think. There is a certain class that police court exposures has a bad effect upon. Take a girl who is a virtuous girl, who has merely gone wrong in a moment of temptation and weakness. There is no doubt that police court exposure is exceedingly humiliating to a girl of that kind. The association with the evil characters that she must come in contact with must have a demoralizing effect upon a girl like this. So far as boys are concerned I don't believe in police court probation.

Hon. Mr. DRURY.

Q. Do you think that the State would be warranted under any circumstances in taking from parents or natural guardians the custody of their children? A. I do. Just as soon as it is apparent that the parent has lost control of the child and it is almost an absolute certainty that the child will develop into a criminal the State ought to protect itself and take the child away. You have an example in the three boys I spoke of. They came back the second time and then the third time. I think you have a fair indication there of when the State should interfere.

Mr. JURY.

Q. You heard the chairman describe the institution which he thought would be best for the treatment of vagrants, tramps and drunkards. What do you think of that? A. I think if they were confined there for sufficiently long terms they would have time to sober up and make good resolutions. I will say with regard to drunks as I have said with regard to habitual criminals, reformation should be one of the objects, and if that reformation can be brought about by mild measures so much the better; if not, adopt something more drastic.

Q. You don't think that a fine of a dollar and costs would be a good thing? A. I think it is useless.

The CHAIRMAN.

Q. You recommend hard labour? A. I would. I don't think that there is any possible chance of reformation with idleness. This seems to be one of the great evils in connection with our gaol system, that there is no work for the prisoners. They are lounging about in the corridors by the dozens. The men get accustomed to this kind of life and they become completely demoralized.

Q. Have you found, as a general thing, that the vagrant or tramp class are also drunkards? A. The great majority of them. There is a certain number of them brought in under the head of vagrancy who are not really tramps and who would work if they could get work to do. This class is entitled to our sympathy and assistance; but the great majority of the tramps are indolent, lazy, worthless fellows who drift about through the country, lying about the fields and stealing sufficient to keep them alive during the summer, and then they swarm to the gaols in the winter.

Dr. ROSEBRUGH.

Q. Do you think that there should be some more restriction imposed in the way of preventing children from attending theatres and dime museums and places of that sort. Don't you think that great harm is done through these places? A. I do not know. If parents would exercise the proper authority over their children I do not see that this would have much effect. I would be disposed to leave it to the judgment of the parents.

Mr. JURY.

Q. Have you any further suggestions to make of your own, Mr. Stark? A. There is one thing in regard to criminals; the system of concurrent sentences followed in all the criminal courts I think is wrong. A man is brought up before the court; perhaps there are half a dozen charges against him, clear cases, each one a separate offence. The courts won't try a man for more than three, and if they convict him for these three he is sentenced for each, but the sentences run concurrently in nearly all cases. Of course, in some cases, in passing sentence a judge might impose a longer term or a more severe sentence than if there were one against him, but I think every sentence ought to be served out separately. And then there is this system; you have three charges against a man and four or five others are held in abeyance. You convict him upon these three: what is the effect of it? The man starts out, and after committing three offences, he says, I am as bad as I can be; if I am caught I will only get tried for the three, I may as well commit as many more as I can.

Q. What would be your recommendation on this matter, Inspector? A. Convict a man on one or two charges, sentence him on these, suspend sentence in the other cases and tell him if he gives up this kind of life he will only be punished for the one offence; that is, if he shows a disposition to be respectable aad steady; but if he goes back to his old associations sentence him on the other. And the same thing with regard to suspended sentence. People now are brought up and let go on suspended sentence, but I never knew a case where the suspended sentence was imposed. A man might drift back to his old associates and he would be safe enough for nothing would happen to him.

Q. But is it not taken into account when the man comes up again? A. In some cases it is and in some cases it is not. I have in my mind a case where a man was brought up before the Supreme Court. He was let go with the understanding that the authorities would watch over him, and he would be brought up for sentence if he took up with his old associates again. The very day he was discharged he was found in company with his old associates. He was afterwards brought before the police court and punished for a minor offence, but for the serious crime of which he had been guilty he was never punished. A. If the courts gave instruction to the police department, then the police could act, but this was just one of those cases in which the police did not feel it their duty to interfere.

Q. What course would you adopt? A. Just simply the same as in the army—issue a general order. The court should instruct the chief of police, he would convey the instructions to the whole force, and if any member of the force found such a man in suspicious circumstances he would bring the man up again.

Dr. ROSEBRUGH.

Q. Can you give us any idea how many men known to the police follow a life of crime? A. That is rather difficult. They drift about; they don't confine themselves to Toronto. We get reports of crimes committed all over the province. We have a pretty good idea of who are doing a great deal of the crime all over the country. We know that it is committed by thieves who make their homes in the city. They go out to the country for a tour after spending a time in the city. I could count up, perhaps, forty or fifty whom I regard as habitual criminals—men who have been convicted of felonies two, four, five or half a dozen times.

Q. Have you any recommendation to make with regard to this class? A. The only thing I can suggest is a strict enforcement of the Vagrant Act.

Q. But a man who is respectably dressed you can hardly arrest as a vagrant. A. Oh, yes. When a man associates with criminals and has been convicted two or three times I do not think it is any hardship that the community should call upon him to give the public information as to how he is making his living and what he is doing.

Q. If you had the Bertillion system of registration do you think it would work well? A. I do not know. I am looking into it now. I may say that another great difficulty

the police have experienced in dealing with prisoners is their giving fictitious names. I think it ought to be a misdemeanor for a man to give a fictitious name. There was one point Inspector Archibald touched upon, with regard to the benefit arising from the closing of the saloons. Some papers have reported him as having stated that on the morning after the last provincial election there were very few arrests. What he said was that there were no arrests for drunkenness. The same thing occurred at the provincial elections of 1889. There were no cases of drunkenness dealt with at the police court.

Q. Don't they give them a little more latitude on these occasions? A. No, I do not think they do.

Q. Are the saloons closed all day? A. Yes, from six o'clock in the morning until six o'clock the next morning. As to the question of the effect of the reduction of the licenses upon drunkenness, I may say this, the licenses were reduced from 200 to 150 in 1887. Now take the year 1886, in which we had the larger number of licenses, the year before the reduction took place, the population that year was 134,182, and the number of arrests for drunkenness was 4,283. Then I come down to last year, when the population had gone up to 186,140, the arrests for drunkenness were 5,441, so you see they have not increased at the same ratio as the population; and then something else has to be taken into consideration. You would expect more arrests, not only owing to the fact of the increase of the population, but owing to the fact that the police have been increased, and a large amount of territory is covered by the police that was not covered in 1886.

J. J. KELSO, sworn.

The CHAIRMAN.

Q. What is your profession? A. I became interested in this question of juvenile crime through my connection with journalism. I am the founder of the Toronto Humane Society and the Children's Fresh Air Fund, and I was the means of introducing a by-law licensing boys who sell papers on the streets. I became interested in children through seeing them at the police court. One of the first things that caught my attention was the large number of boys of thirteen, fourteen or fifteen who were brought up for larceny, and in most cases convicted and sent to the Penetanguishene Reformatory. I found that most of these were newsboys. The profession of selling newspapers is in my opinion pernicious right through. There is no system of dealing with those engaged in it so as to bring out their moral nature. Those boys had reached an age when they were too large to sell papers. The general public buy papers from small boys in preference to large ones, and then again, as between boys and girls, the girls got the patronage, so that the profession of the larger boy was gone. These boys live like princes in their own way, and when they cannot sell papers they are driven to stealing to keep up their style of life. I have known dozens of cases where these boys made small boys break a window or unfasten doors, and would steal silk handkerchiefs and any fancy article that could be always disposed of. I know one case in particular where larger boys put two small boys into a box right inside a warehouse, but their scheme was frustrated by one of the boys becoming nervous and telling the whole story. I have studied this question in all its branches, and I have been watching these children closely for the past four years. There was no system of dealing with boys. Any one could leave his parents and go right into this business of selling papers. I drew up this law to license them and got it passed through the municipal council. It provides:—

1. "That all applications for licenses shall be made at the office of the Staff Inspector by the parent, guardian or nearest friend, accompanied by the applicant.

2. "No license shall be issued to any child under eight years of age, and every child so licensed shall attend school each day during the school year, under such arrangements as shall be made.

3. "Every child so licensed shall, while engaged in the business for which the license has been issued, wear conspicuously on the breast a metal badge, with the number of the license thereon. Neglect of so doing may be a sufficient cause for suspension of said license.

4. "Every child so licensed shall exhibit, or cause to be produced, the license, when required to do so by the police, and the same shall not be transferred, exchanged, or borrowed or lent, under the pain of forfeiture of said license.

5. "Every license shall extend to the close of the year in which it is issued.

6. "Every child so licensed may be required to reside with his parents or guardian, or in lodgings approved by the Staff Inspector.

7. "Licenses will be issued without charge, but if the metal badge be not forthcoming when required it will not be replaced except on payment of 25 cents."

The very first step taken was to prevent girls selling papers. I have frequently had evidence of how young girls who pursued this calling were ruined by designing persons. From the moment the law intending to keep them off the street was framed they disappeared. The boys would not go to the Newsboys' Home, which was specially provided for them, and there was no law to compel them to do so. There are nice clean beds there, with texts on the wall or over the bed, and appropriate mottoes. The boys are compelled to be clean, to have a bath. The average newsboy wants to go to the theatre and to entertainments of a not very desirable kind, and he would not submit to these regulations. These boys were scattered amongst the low dives. A gang went to a place called * * * where, by paying five cents, they had the privilege of sleeping on the floor. They never took their clothes off from Saturday night till Monday morning. This man encouraged the boys to steal and to acts of rascality. They saw nothing there but evil, and were allowed facilities for indulging in all kinds of vice. This man's influence upon the boys was of the very worst character. He had a ready means of disposing of all the stolen articles. He had a brother or uncle down in Belleville, and the stolen goods were regularly shipped to him. As many as thirty would sleep there at night. We had a case last week that Inspector Stark touched upon where half a dozen boys had stolen $1,000 worth of money and jewellery. The regulations regarding these boys are not in force to day. The papers thought that it was going to hurt their business. One good result of the passage of this by-law is this, that to-day we can tell the boys that receive licenses. You will be surprised to hear that we have 592 boys licensed to sell papers in the streets of Toronto, and there are a couple of hundred who have not applied for licenses. There is no training these boys to habits of industry. They will neglect their work, run away, and throw themselves out of a situation without the slightest regard of what is to become of them. My idea is that we ought to endeavor to do away with this system altogether, to stop entirely a large number of these boys from pursuing this occupation. I think that we ought to have stalls with old couples in charge of them for the vending of newspapers, just as they have in New York.

Q. Where are these boys chiefly drawn from? A. There are at least two hundred of the boys licensed who have no responsible guardians or parents. In many cases the parents are drunkards and the boys drifted into this life as early as five or six years of age. I have known most heartrending instances of where children have been sent out to sell papers or beg, and the money has been taken away from them. Four weeks ago a little fellow came into Inspector Archibald's office, so small that he could hardly lisp. The father insisted that this boy was over eight. The inspector told him that he could not give the license. The man, however, sent his boy and another to sell papers, and he would stand on the other side of the street and take the money from the boy as he sold his papers. Girls made more money than the boys, and the parents took it away from them. Of thirty or thirty-five pictures in two of the sheets in Inspector Stark's register gallery there were twelve of these boys who had developed into criminals.

Q. Is it equally well known that the girls become prostitutes? A. Yes. It was looked upon as a matter of business in regard to these girls, and I found that these children were only too anxious to go into the same business.

Q. What would you do with the boys who are in this occupation now? A. Send them to school. I think, in every case where the parent neglects his duty, the State should become the protector of the child. Two years ago I went to the school trustees and showed that as the result of the present system many of the boys were going to the bad. "Oh, my dear sir," I was told, "we have not got enough accommodation for our own children, how do you expect us to look after those who do not see that it is to their interest to come to school." Now, the fact is that here we establish schools for the respectable citizens' children, but no one is interested in these other children to see that they are educated. I went to the Minister of Education and told him that this education law was not being enforced as it ought to be. "Well," he said, "if the school board does not do so it is their fault." I went with a deputation, of which Mr. Beverley Jones was a member, to the school board and urged the establishment of a truant school. They said they were going to establish a new school, and that they were going to take over the Elizabeth street school for this purpose. The mission school under Mr. Howland's supervision has been doing a good work, and now the school board proposes to do this work. The great secret of the success of Mr. Howland's mission was that they got a woman there who was consecrated to the work. She was interested in it so much that she dressed the children, washed them even, got them to school with her, gave contributions of food to children in order to gather them and encourage them to go to the school. Those who are engaged in it must give their whole heart to this class of work, or it will not be a success. I am strongly in favor of that system which has been mentioned as being in operation in Boston. I am the treasurer of the American Humane Association, and I want to show you as the result of enquiries I have made, how they are handling this work in New York. It has been a source of great tribulation to me to see the way in which children are systematically manufactured into criminals. There is no other term can be applied to it. Take a child of seven or eight years of age and send it to gaol. By putting it there you break down the instinctive dread that every child has of a prison. You habituate the child to this kind of thing. We have an Act passed for the protection and reformation of neglected children, but unfortunately the principle has not been carried out. It provides that the children should be tried before a specially appointed commissioner. It provides amongst other things, "On proof that a child, under fourteen years of age, by reason of the neglect, crime, drunkenness of the parent, or from orphanage or any other cause, is growing up in circumstances exposing such child to bad or dissolute life, or on proof that any child under fourteen years of age being an orphan has been found begging in any street, highway or public place, a judge may order such child to be committed to any reformatory, industrial school or refuge for boys or girls, or other institution subject to the inspection of the Inspector of Prisons and Asylums, or to other suitable charitable society authorized under the Act respecting Apprentices and Minors, and willing to receive such child, to be there kept, cared for and educated, for a period not extending beyond the period at which such child shall have attained the age of eighteen years." There is another section providing that "Any child apparently under the age of sixteen years found frequenting or being in the company of reputed thieves or prostitutes, or frequenting or being in a reputed house of prostitution or assignation" may be arrested and brought before the judge. The appointment of the commissioner to determine complaints against juvenile offenders is vested in the Lieutenant-Governor, who may act upon the request of any municipal council. The last section provides for the separate trial of the offenders, and is as follows: Persons under the age of twenty-one years who are charged with offences against the laws of this Province, or who are brought before a judge under this Act shall, as far as practicable, be tried, and their cases disposed of, separately and apart from other offenders, and at suitable times to be designated and appointed for this purpose." This question was brought before the council, but they thought it would be too expensive a system. I was in Brooklyn two weeks ago and made enquiries into this. There is a regular court room there where the court sittings are held and ordinary cases are tried, but there is a room half the size where the magistrates deal with juvenile cases and to which the general public are not admitted. There is nothing to prevent this being done in Toronto. When a child is arrested in New York the police have to communicate with the Society for the Prevention of Cruelty to Children and they send an

officer to the place to take the child to the house of detention. Children are not kept in the police stations. The society has seven officers who attend the courts and prosecute in all cases against children. When they find a parent is neglecting to bring up his child properly the law enables them to sever altogether the connection between the parent and child. In England, the most conservative country in the world, the necessity for this has been recognized, and they had an act empowering them to do this passed last year. We might just as well throw money into the bay as educate a child at an Industrial School and allow the parents to take it back again after it has been educated and trained. You must see at once that two or three or four years training is thus wasted. I know a case of a mother who lived at the foot of one of the streets leading to the Esplanade, and who attempted to get her girl in the prostitution business. Other cases have come to my knowledge where parents have betrayed their trust. This fact shows that there are times when parents and children must be separated for good, for the protection of the child and the protection of society. I think that the system should be adopted of committing children to industrial schools under indeterminate sentences. No child should be kept for a longer period than will serve to fit it for being placed out in a good home. We have done nothing in the way of getting our own children on farms or in places where they may find comfortable homes either in this Province or in the Northwest, and yet we complain because other people are doing so.

Dr. ROSEBRUGH.

Q. Don't the boys' and girls' homes and orphanage do that? A. I don't think they accomplish much in that line. I don't think that their system of dealing with children is the right one. These places are conducted in a rather namby-pamby style.

Q. Do you think they keep them in the institution too long? A. Yes, and the boys and girls have no idea of life when they enter the world. There are a great many of these boys who live round these places, in the Model lodging house and cheap eating houses all over the city who might very well be drafted into the country. Then there are the boys about the theatre. I have seen a great deal about this, they go to the theatre and sit in the top place where they only pay 10c., and the class of plays that they go to see is Irish comedy and Irish drama of the most sensational sort. That is the kind of play that these boys go to see. There are large numbers—I am prepared to say that there are hundreds every night, between the ages of seven and fifteen, who go to witness the lowest kind of dramas.

Mr. JURY.

Q. Don't these dramas contain a moral in them? A. There a great many that have neither a moral nor anything else. They contain nothing but evil.

Q. What Irish drama did you ever see in Toronto in which evil was inculcated? A. There are a great many full of the worst kinds of villiany, and the villian is held up always as a heroic character.

Q. I beg to differ from you, he is invariably held up as the most contemptible scoundrel and he is nearly always hissed off the stage by the boys. I have sat in the gallery myself with the boys, so I know what I am talking about. A. You may apply this as a general principle, but I can assure you there are lots of plays that are positively bad. The desire to attend these places is sometimes the means of leading youths into crime. They have no money, and they resort to thieving in order to gratify this desire. We ought to have a law in all the large cities in the Province regulating the places where the boys should stop. In New York they passed a law prohibiting the boys from living in the ordinary common lodgings. It would be desirable to have an industrial home for boys, where those who have no proper homes of their own should live. They have a law to this effect in New York. In New York they spend from one million to a million and a quarter in maintaining dependent children. They are prepared to pay this rather than have these boys on their hands in later years. In the City of Brooklyn they spend three hundred thousand dollars in maintaining these boys. I do not think that parents should

be relieved of their responsibility, but as matter of protection it must be done very often. There is nothing done in Toronto to enforce parental obligations. In my contact with them through the fresh air fund, I found that a large number of mothers are dependent on children for support. We have shiploads of mothers who are not supported properly by their husbands. These go on the spree and get arrested. There are some of them, even when at home, living at the expense of their wives. The wife goes away at seven o'clock in the morning and comes back at six o'clock at night, and during all this time perhaps a family of ten children are left to their own resources. I know one entire family of boys now in the penitenitary, and I believe the whole trouble was that the mother was away all day; the father was a worthless fellow. The eldest boy was convicted of theft, the others followed his example and all were sent to the penitentiary. I notice that the children amongst whom crime predominates generally belong to very large families. In the fresh air fund last summer we had a family of ten children with the mother, and the father was not supporting this family. We had another family of eight children with their mother.

Dr. Rosebrugh.

Q. What is your experience with regard to congregating children in connection with the fresh air fund? A, The boys were so bad in some instances that we had to group them together on our excursions. We supplied them with everything we could think of, but this did not satisfy them. They went out of their own part and smashed and stole everything they could lay their hands on. I speak now of boys from twelve to fifteen years of age who knew each other. In subsequent excursions we prohibited these big ones, in fact, I may say that if we had continued to bring this class we would not have been able to get the boat, for on the first day they broke the windows, disfigured the place and smashed up everything. We brought on a numebr of policemen to see if they could do anything, but the urchins stole things under their very eyes. I do not know that much can be done with them. Boys go in shoals from the city and steal everything that they can lay their hands upon. The magistrate often sends a boy to gaol for six hours. I think this is a most miserable farce. Very often they are sent to gaol for five or six days, they are driven down to gaol in the van and the governor of the gaol, seeing such little fellows, very naturally will say, "Let them go where they like."

Mr. Jury.

Q Do you know as a matter of fact that they are allowed to go where they like? A. I know a little girl ten years of age was allowed to go where she liked.

Q. When we visited the gaol we found that the boys were confined strictly to their own department? A. They may be under new arrangements now.

Dr. Rosebrugh.

Q. Is the law forbidding the sale of cigarettes to small boys enforced? A. I do not think you can enforce it anywhere. One large boy will buy enough for a whole army, and they will smoke in spite of what you do.

Q. Are the churches in Toronto making an effort to save these boys? A No, they don't do a solitary thing. Another thing I would suggest is to try to have a play-ground for boys, a common play-ground. The play-grounds of the schools are all closed up the moment the schools are dispersed. Everybody knows that if a boy does not get a chance to develop himself physically, to work off his animal spirits, these spirits will find vent in some direction. There ought to be an entirely different system adopted to try to reclaim these boys who have fallen into crime. There is no society established for dealing with neglected children. We have an organization for taking hold of adult prisoners who get to gaol, but there is not a single effort made to prevent children from becoming criminals. The best thing is to have a state officer. The moment that a child goes up to court his whole surroundings ought to be enquired into before anything is done regarding him. In regard to punishment, I certainly think that boys ought to be strapped for certain offences. I have seen them in the dock laughing and chatting in the happiest and merriest possible way.

Q. Have you any other recommendations to make? A. I think, in the matter of industrial schools, boys ought to be kept there a very short time. It is very expensive and they ought to be placed outside as early as possible. You want to get them outside to familiarise them with the ordinary habits of life. If you keep them in an institution with the same companions, the same cast-iron regulations, getting up at a certain hour and wearing a certain uniform, you place the child at a disadvantage when he has to enter the world again.

Hon. Mr. Drury.

Q. Mr. Howland thinks that if the boys are put through some sort of training in the industrial school for a while, and accustomed to these regular habits, it would not do them any harm. A. I do not think it would do them any harm, but I think that they ought not to be kept too long. They should not, in my opinion, be kept more than six months in many instances. I think a great many of these boys are ruined in this way.

Q. Have you any practical knowledge of the working of Penetanguishene Reformatory? A. I will give you an illustration of that in the case of this boy Tim McCarthy. There was some neglect on the part of his mother in the first instance. He was very nearly scalded to death. This boy used to be sent down to the gaol time after time from the police court for stealing all kinds of things. There was no Industrial School at the time, no place of that kind to send him to and when he was eight years of age he was sent one day to the reformatory. He served several years there. Then he came back and went to board at the Model Lodging House. That boy went around for sometime and they found him with a lighted lamp in his possession at night on one occasion. A week afterwards they found him robbing a house with some other boys. Then he was found out in a whole lot of thefts and they sent him right back. He is eleven years of age now and by the time he is sixteen he will have served some half a dozen years odd, and he will come back ten times worse than when he went in.

Q. Why do you say this? A. Because the whole effect of the place is bad. He will go next to the Central Prison, and from the Central Prison to the penitentiary and then he will go to the gallows. This system of ours has resulted in loss of property and danger to the community, and I declare most emphatically that we have got no system of looking after children to-day. Penetanguishene Reformatory was established at a time when this child question did not receive any consideration I think it is a relic of a past age and is not adapted to the requirements of the world anywhere to-day. The whole plan now-a-days is to build industrial schools on the small cottage principle.

Q. In the central police station of Toronto are there really only two cells? A. Yes. The room for women is just simply a cage with bars all around. There are no cells for the men. Boys, men, burglars, thieves, drunkards, all classes are put down together.

Dr. Rosebrugh.

Q. Have you any recommendation to make with regard to the police cells of Toronto? A. I think the prisoners ought to be separated. It is no punishment at all where you put four or five men together. I have seen girls put in together and they have started to behave themselves in the most unseemly and wild way. It is really no punishment.

The Chairman.

Q. From the evidence you gave in the forenoon I gather that your recommendations were first, proper supervision of the children under the truancy law, and then you would have an adaptation of the Probation law in its best form, and after this you would have some place of detention for boys and girls charged with offences pending the doing of something with them, either letting them out under probation, absorbing them in families, or sending them to an industrial school or anything else? A. I would have the industrial

school merely as a temporary place. I think that Penetanguishene ought to be remodelled. I think it should be made less like a prison. In this province we have been very negligent in the matter of children.

GEORGE ALFRED BARNETT, Superintendent of the Newsboys' Home, Toronto, sworn.

The CHAIRMAN.

Q. When was this home established? A. It will be our twenty-second anniversary next Friday. I was appointed superintendent four years ago. About six years prior to that I was at the gaol and in the sheriff's office.

Q. What class of boys do you admit to the home? A. We admit almost every class who come to us. We deal with boys between the ages of nine years and sixteen; we make an enquiry as to character in each case. Of course we have got to pay some regard to a boy's antecedents.

Q. What is the main object of the home? A. To try to reform boys, to pick them off the streets and place them in situations, to inculcate in them habits of industry.

Q. How many have you accommodation for? A. Fifty.

Q. How many had you last night? A. Sixteen. Our general average is twenty-four or twenty-five taking the year right through. In the winter the number is greater. We run up to thirty or thirty-five.

Q. Why do more boys not avail themselves of the benefits of the institution? A. They don't like the restraint. They have to be in every night at seven o'clock; twice a week we allow them out until nine. We have a night school, students come from the University to teach them. Boys very often go to the cheap lodgings where they can stay for five cents and where they can lie about dirty and without any discipline being imposed upon them.

Q. Where do these boys come from? A. Some are natives of the city and some, not a very large number, come from the old country.

Q. Have you any boys brought out by societies? A. Lots of those from the old country are—quite a number.

Q. What is their character? A. As a rule they are very bad; give me the Canadian boys long before them. They will destroy others by association with them, put them up to all sorts of evil habits, and before your face they will pretend to be very quiet innocent young fellows. They work very little and some of them go to gaol and go thieving, and they teach others to do the same. I am speaking from experience. I don't blame one society more than another. It has been my experience of those boys that eight out of every ten are downright common thieves.

Q. How long do you allow them to remain with you; what length of time do they stay in the institution? A. The working boys come in during the day and get all their meals, breakfast, dinner and supper.

Q. What do you charge? A. Ten cents for breakfast, supper and bed, $1.30 a week, giving them all their food. Any boy who cannot pay is kept until the next day; we never turn them out, but many times we don't get anything from them.

Q. Do you endeavor to get places for these boys? A. Yes; I have got places for lots of boys who have got too old for the institution. I have got them to work at blacksmithing, carpentering and different things.

Dr. Rosebrugh.

Q. Of those sixteen who are now in the home how many have situations? A. Five. Those we have now are like fresh ones come in; all the old ones clear out again. Every twelve months or two years we clear the old boys out; as soon as they earn $4 a week or so they are able to support themselves and pay for other lodgings.

Q. How long do you keep them? A. There was one boy who left last year who had been in the home seven years; he was taken there when he was only eight years of age. He is working over the Don now driving a cart. He has developed into a self-reliant industrious youth.

The Chairman

Q. Have many of these boys found their way into the Industrial School or Reformatory? A. Yes, but not a very great many.

Q. As a general thing what is the character of the boys? A. When they are in the home they are generally good. They know me pretty well; I won't stand any fooling with them while they are there, but once they are outside I have no authority over them.

Q. Don't you think if you adopted some name of a more general character it would be a great advantage? A. I fancy it would be a great advantage to the boys who are leaving the Newsboy's Home. It gives them a sort of slur when the people know that they have come from there. When he goes to look for a place a boy is apt to lie when they ask where he comes from.

Q. How do your boys behave themselves when they enter situations? A. There is trouble with most of them. For example they will run away from their employment to see a base ball match and sometimes they will never go back again. In winter they will stick to their work all right, but as soon as the summer comes they will go away all over the country; there is no depending on them.

Hon. Mr. Drury.

Q. How is your institution supported? A. As a voluntary institution mostly, but last year we had $126 from the Government.

Q. You spent $5,682; what would be the average number you had for the whole year? A. Our average would be about 25.

Mrs. O'Reilly, Superintendent of the Mercer Reformatory and Refuge for Girls, Toronto, sworn.

The Chairman.

Q. You have occupied the position of Superintendent of the Mercer Reformatory since the establishment of the institution ten years ago? A. Yes.

Q. You receive in the institution females who are sentenced by the various courts? A. Yes.

Q. What number passed through your institution last year? A. 124. Since the opening of the institution there have been 1,556 women and girls.

Q. What were the chief offences of the persons committed? A. I think the greatest number has been for drunkenness.

Q. Of those committed last year 34 were convicted of vagrancy, 25 of larceny, the drunk and disorderly were only two, and those committed as prostitutes only six: but as

a matter of fact were not most of these persons for drunkenness? A. Yes, I should think most of the vagrants were drunkards, and so were those committed for larceny, with very few exceptions.

Q. Do the six commitments for prostitution represent the number of prostitutes that passed through your hands? A. No. Of the 124 committed last year many more than half I am sure were prostitutes.

Q. Does this class come back to you frequently? A. They are principally those committed for drunkenness and who may also be prostitutes who come back frequently.

Q. Is your population of a class generally that is difficult to deal with? A. With few exceptions I may say that those who are at present in the house are not difficult to manage. There are not more than half-a-dozen at all refractory that I cannot manage without punishing. The refractory eventually succumb to discipline.

Q. How do they behave themselves when first they come in? A. Well, they have to be made to conform to the rules. If they are committed again they are better the second time I think.

Q. Do those who are drunkards find confinement and institution life irksome? A. Not after they have been in a month or six weeks. At their first entrance they are very irritable, and they remain so until they get over the effects of their drunkenness.

Q. What is your method of punishment? A. Confinement in a cell, and we give them bread and water. We sometimes put them in a dark cell but very rarely. The most frequent mode of punishment is confinement in a separate cell, this generally brings them to a proper sense of their conduct.

Q. How many prisoners have you in to-day? A. I think 85. They are of a great many degrees of character. There are some with very violent tempers.

Q. What means do you take to effect a classification and to keep the very bad from corrupting the others? A. Owing to the way the house is constructed it is not very easy to classify them as we would wish. In the two lower wards, which we call the refractory wards, we put the worst characters; the other parts of the house are occupied. I would very much like to have some place where we could isolate some of the women

Q. Don't you think that in such an institution classification is of the utmost importance? A. I do.

Q. Do you think it is possible to effect much good when there is such indiscriminate association of women of this class? A. Well, I think we do good; but whether we reach the best results is a matter of which I am rather doubtful

Q. How many separate and distinct wards have you in the reformatory for the adults? A. Nine, one originally intended as a receiving ward, and on each side of the building there are three tiers of corridors, giving, I think, eleven altogether.

Q. Has each of those wards a work room attached? A. Not all of them. We have day rooms as we call them. The prisoners work principally in the laundry.

Q. These wards were originally intended to furnish means for the distinct and separate classification of the prisoners; it was intended that they should take their meals there and never see another class of prisoners? A. We found that this would be impossible, for, to carry out that idea we would require to have a separate kitchen for each. We had to use these rooms for other purposes. Then most of our girls are occupied in the laundry and it would be very difficult to have a laundry in each of the work rooms. Very often it would be a desirable thing to have five or six women of the same standing put together but even then they would associate with the others at work in the laundry.

Q. Would it not be well in order to get better classification to floor over the wards that are open from the ground floor to the ceiling, so as to get a greater number of separate corridors? A. I do not think that there would be sufficient ventilation if we did that.

Q. Is it your opinion that you now accomplish as much as you can hope for with the institution as it is structurally? A. That is a pretty hard question to answer.

Q. Take the 85 women that are in the institution now, how many of these can you hope, under present circumstances, to reclaim? A. You ask me one difficult question, and then you follow it up by asking another. I think with the modes of treatment that we adopt now we are doing a great deal of good, and I may say that a good many never come back to us after they are released.

Q. Are they received chiefly from the towns? A. I think chiefly, but a good many come from the country.

Q. Are you opposed to short sentences to the Mercer Reformatory? A. I am decidedly. I think they ought to make the sentences longer. And there is another singular anomaly. It is quite a common thing for a judge to sentence a woman for twelve or eighteen months to the reformatory for the first time, and to sentence her the next time to six months.

Q. Do you believe that by a better classification; that is, a thorough structural classification of the prisoners you can accomplish better results? A. I do not understand any classification by which you could prevent contamination; unless it is the object of the system to keep the prisoners entirely separate, Here they must take their recreation together, because we have not got sufficient accomodation to keep them separate; when once they do associate together they will take every means of communicating with each other afterwards, and it is almost impossible to prevent them.

Q. If you were asked to give the Government your views upon the construction of a model female reformatory would you adopt the lines of the present institution? A. No I would not. I would adopt the cottage system.

Q. In the country or reasonably near a city? A. I think the further away from the city an institution of this kind is the better. I would have the cottages for the purposes of classification. I would make age and character and the nature of the offences the basis of classification. I would keep those known to be prostitutes entirely separate from the others.

Q. And you regard this kind of classification as being absolutely necessary to the successful carrying on of a female reformatory? A. I do. Without that the institution would not have the perfection which is desirable.

Hon. Mr. Drury.

Q. Do you keep records of the subsequent career of those who leave the institution? A. Oh, yes, we follow them up as far as possible. And we find that there are a considerable number of those who pass through the institution, in fact, I may say there are very many who do well for a few months. But afterwards a good few of them fall away.

The Chairman.

Q. In going past the institution, as I do nearly every morning on my way to the city, I sometimes notice girls being discharged, and a short distance down the street I frequently see a cab waiting, containing what would seem to be questionable characters ready to receive these girls; have you observed this? A. Well, as regards all who are willing to be placed in a situation we have an attendant always to go with them, but when the day of a prisoner's discharge comes we have no authority over her, if she insists upon going out without any one accompanying her.

Q. Is there any communication between persons in the reformatory and people outside? A. Only by letter. We allow them to have letters, but we read them over first.

Q. Have you found that there have been attempts to communicate with the female prisoners in this way by men outside? A. Oh, yes, but not very frequently.

Q. What proportion of your prisoners are married? A. Of the 124 admitted last year 46 were married and 78 were single. There were 22 under 18; 19 from 18 to 20; 36 between 20 and 30; 31 between 30 and 40; 12 between 40 and 50; and 4 between 50 and 60. Quite a number were good workers. The larger number were servants before we received them.

Q. When the Commissioners passed through the Reformatory many of the women turned round and stared and laughed, and generally behaved in a very unbecoming way. Do you take any steps to stop that? A. Yes, we rebuke them, but they still do it. The grand jury pass through and the same thing occurs with them. I often wish that only a small section of them came to inspect the institution.

Q. In that case, the fewer visitors you have the better? A. Yes, I do think so.

Q. There is a division wall between the adults and the girls? A. Yes. None pass from one to the other.

Q. Some of the little girls are taken into the kitchen I understand to be taught to cook. Are they allowed to associate with the others? A. No, that is strictly forbidden.

Q. Do you think that it is desirable to have even the structural connection you have there? A. I do not. I think it would be better if the two institutions were entirely separate. The girls are too near the reformatory. Even the shadow of the reformatory is bad; the idea is bad even if it is a sentimental one. They don't see each other but they look into the same yards.

Q. How many girls have you to-day in the Refuge department? A. 46. Those occupy almost all the dormitory space. There is not much more room for girls.

Q. You received 19 last year and 69 was the total number in residence? A. Yes.

Q. What were the chief offences for which the girls were committed? A. Twelve were committed as destitute and without a home.

Q. Is it destitution with waywardness combined? A. Some offence or vice must have shewn itself before they were committed. I fancy that as regards many of those committed as destitute the father and mother are drunkards and they are without a home in that way, and obliged to go into the streets.

Q. Then I see you have committed for larceny 4, arson 1, incorrigibility 1, and frequenting 1? A. Yes.

Q. What is the number received at the refuge during the ten years it has been in existence? A. 160. Those came from all over the province.

Q. What do yon do with the children when they are discharged? A. Many of them have been apprenticed. They are committed for an indefinite period and at any time they may be either apprenticed, or if their parents represent that they have a comfortable home for them, they may be allowed to return to them.

Q. What has been the result of the Refuge treatment of these 160 girls? A. They have done very well. And under more favorable circumstances, that is, with entire separation from the adult institution, I would look for still better results.

Hon. Mr. Drury.

Q We observed in passing through the Refuge two little girls in separate cells; I suppose they were confined for some offence? A. Yes. These are exceptional little girls whom we found necessary to isolate from the others.

Q. How long do you isolate them? A. There are no stated periods, not many days. We have not many of the class that we must treat in that way.

Dr. Rosebrugh.

Q Mr. Christie told us that you have no printed rules for the government of the Reformatory. I suppose you find this is quite a drawback? A. I do not know that we do. I govern the inmates by my own law. I do not know whether we would be any better with printed rules.

Q. Would not the officers more readily learn what their duties are, and what is expected of them if you had by-laws defining the duties? A. I do not know. You see I give them all the directions myself when they come.

The Chairman.

Q. For my part, I do not see how you can govern any institution without by-laws? A. Well, we have not found that they are necessary.

Hon. Mr. Drury.

Q. If there is any standard of duty, how do you manage to attain it? A. The standard is obedience. If the inmates refuse to obey they are reported to me or the deputy superintendent; and if they persist in disobedience they are punished. Cast-iron rules do not always work well. The general rules that must always govern I tell them when they come in, and all that is necessary afterwards is for them to obey instructions. The majority of our women cannot read, so that printed rules would not be of use to them even if put up in their cells.

Dr. Rosebrugh.

Q We learned in some institutions of a similar character in the United States that girls coming in for the first time are kept entirely separate from the others for four or five weeks, so that they cannot retail any gossip from the outside. Do you think that is a good plan? A. A very good plan. We have tried it here but we have not made it a strict rule. We have not accommodation to carry this out.

The Chairman.

Q. What employments are carried on at the Reformatory? A. The principal work is laundry work, but a good deal of washing is done. There is a little sewing; there is a good deal of knitting done at the institution.

Q. I see that in the sewing department you made last year $302.54; in the laundry $2,460.67; and in the knitting $217.70; and in making up clothes for the inmates work was done to the value of $2.561.83? A. Yes, and we also have orders for the different gaols. This is about all the work we can do there. Our population is much less now than it was formerly.

Q. Have you any reason to give for the decrease in population? A. I do not know how to account for it. We had at one time 174 inmates; the average for the first few years was 117, and one year it was 141.

Q. Are there many children born in the institution? A. Yes, and a few prisoners bring children with them. We retain the children until the mothers go out.

Q. What do you think is the chief cause of crime amongst the class you come in contact with? A. I think it is drunkenness. We have some who are not intemperate but they are very few. Of the 124 received last year 51 stated that they were temperate, while 73 represented that they were intemperate. They generally tell the truth about it.

Q. Next to drink, what do you think is the most fruitful source of crime? A. Neglect on the part of parents.

Q. Have you any girls who sold newspapers in the streets? A. I do not think so now. We have had some, I think we only had one this year.

Q. Are we to conclude then that you labor under many disadvantages from the want of classification; want of the cottage system, and owing to the proximity to the city, and that it would be better to have a reformatory without these disadvantages? A. Yes, I think so.

Hon. Mr. ANGLIN.

Q. I notice that in the female convict prisons in England they have periodical revolts amongst the prisoners who destroy property, smash the furniture and break the windows. Do such things occur in the Mercer? A. We have had cases of the sort but they are very rare, and not in combination of any great number. In a case we had not long ago two girls who refused to do something, washing or ironing, became very violent and were locked up for several hours until they were subdued.

The CHAIRMAN.

Q. That raises another question. Have you any male attendants in connection with the institution? A. No. We have a male messenger and two engineers; these are the only men we have about the place.

Hon. Mr. ANGLIN.

Q. Can you call upon these men if necessary for help? A. Yes; but it would be in some case of an extreme character.

Q. Have you women attendants of good physique who can be relied on if necessary? A. I think we have.

Hon. Mr. DRURY.

What religious services have you in the institution? A. We have members of the Ministerial Association, ministers who come every Sunday and every Thursday evening from 6.30 to 7.30; and we have ladies from the city who come every Sunday morning from 9 until 9.30 to teach. After this the Roman Catholic priest comes to celebrate mass for the Roman Catholic prisoners; and as regards the Roman Catholics I teach them myself.

Q. Do you think those religious services influence the prisoners for good to any large extent? A. I think they do.

Dr. ROSEBRUGH.

Q. What time for recreation have the inmates of your institution? A. They have two hours each day between five and seven o'clock. They walk round the corridors. We call this recreation, and in fine weather we allow them to go out on the grounds under close observation; we allow them to walk up and down the grounds.

Q. Do you allow two of them to go together by themselves? A. No, we try to avoid this as much as possible. When they go out it is better that three should go than that two should be allowed to go together.

Q. In the work room are your girls constantly kept under observation? A. Yes

Q. In the Sherbourne Institution, Massachusetts, an important feature of the system is the good conduct badges, and division into four classes; then the classes are kept absolutely separate, and the inmates rise and fall according to their behaviour. Do you know whether this system could be applied here? A. I do not think so, with the short sentences that we have, I feel sure that it would not work well. It takes a girl about a month to settle down and some of them are only committed for six months. It would be better for the girls, better for the discipline of the institution, and it would offer better incentives for their well-doing and for their good behaviour in the institution, if their sentences were longer.

Miss Matilda C. Elliot, sworn.

The Chairman.

Q. How long have you been in the service of the reformatory? A. Since its opening. Prior to that time I was in the public service in London, Bradford and Orillia. For the first few years in the Mercer I was housekeeper and I had charge of the children; being a teacher I took that position.

Q. Your duties are now confined to the Refuge for girls? A. Yes, wholly.

Q. Will you give us your order of the day in regard to the scholastic work, and the general work done in the Refuge by the children? A. Except the girls who go to the reformatory, to the officers' quarters and dining-room, to do housemaid work and kitchen work, in the central part of the reformatory—they rise in the morning at 6.30 and breakfast at 10 minutes to 7 o'clock. Those others I have mentioned get up half-an hour earlier. At 7.30 each girl is detailed to work and each one has her own work, so that they go over the whole course, but some of the younger ones don't do anything At 20 minutes to 9 o'clock the children are sent for prayers; the Protestant children with me and the Roman Catholic children with Mrs. O'Reilly. After catechism instruction and prayers the children go to school and are there until twelve There are ten or twelve minutes' recreation allowed at 10 30. At twelve they are dismissed for dinner; after, they have recreation until 20 minutes to 2 o'clock. From 2 to 3 o'clock they go to school again, they are then dismissed to the sewing room for sewing and knitting, repairing clothes and the like. They have from 5.30 until 7 for recreation and study. This is the rule on all the days except Saturday, when laundry work is attended to, and then the children are bathing and so on.

Q. Do you find that those whom you have placed out are able to make themselves useful? A. Yes. I have traced some 75 per cent of them who are doing well. Last year we could trace 90 per cent who have not relapsed into vice and crime. Since then I have learned from hearsay, but not through personal knowledge, that one had not done well. I have no other evidence however, than that of some woman in the reformatory.

Q. Are the class that you receive chiefly neglected and abandoned children? A. Bad parents I should think would cover nearly 50 per cent of the cases that come to us.

Q. And as regards the rest? A. Neglected children sent in by parents, or by somebody else, who complain that they have not control over them. Those from the country municipalities are sent in because they don't want to pay for them in any other institution. Another class that we get from the country places are those we could hardly call idiots, but who are dull and never become capable members of society, weak-minded and vicious minded. Of this class we have about twelve per cent; these are nearly always sent indefinitely.

Q. Do you think it is a wise thing to allow a child of this kind when she gets to the age of fifteen or sixteen to go out unless she has got a home to go to? A. No.

Q. Have you any place to send them to? A. We sent two to the Haven. The Salvation Army Rescue Home takes Protestant children, and the convent of the Good Shepherd takes Roman Catholic children. We never could solve this question for the Protestant children until we had the Salvation Army. And the result has been that those who have lapsed into crime have generally been of this class. I think in our last year's report you will find that nine girls failed to turn out well during the nine years the refuge has been in existence. I feel sure that if these had been protected they would not have turned out failures. They were really not capable of taking care of themselves, and they would have been a burden to whoever would have taken them in hand. We have seven or eight children of this class now. We give them instruction. We always do the best we can with them, but I do not know that instruction does them a great deal of good. They learn to read all right in some cases and some of them will write a most

legible hand ; but yet there is something that you can hardly explain, which shews that there is some defect about them. There have always been a number of that class, but I do not think they are eligible for an idiot asylum.

Q. What do you propose to do with them? A. I think that the Roman Catholic children should go to the convent of the Good Shepherd.

Q. Apart from this, you think that the refuge department is doing good work? A. Yes, I have every reason to believe from correspondence with those girls and their friends that the girls as a rule have done well.

Q. But do you think that they would do better if the institution were entirely separate from the adult institution? A. I do not know that I would so strongly recommend this now as I would have done some years ago. I found that it had not the terror over them that we thought it would have ; in fact, they regarded it as a privilege to get over there ; that is, those girls who were doing the cooking and housemaid work. I do not think that the effects of it are so injurious as we feared they would be, so I have not the same strong ideas that I had formerly.

Q. As regards those who are destitute children ; were they committed for any offence—convicted before a magistrate or judge? A. I think they were merely destitute, but all the information we have is taken from the papers. The magistrate would know the circumstances better than we do.

Q. Have you any suggestions to give us with reference to your part of the work? A. I would be glad to call your attention to the abject ignorance that exists amongst those children. 75 per cent. of them could neither read nor write when they came into the institution. We have got a girl who is one of the latest committals. She did'nt know her alphabet. She has now been in a month and she is in the second part of the first book. I suppose by next month she will be able to write home to her friends ; so you see that some of them are really anxious to learn.

Q. I suppose a great number of the girls have never passed through the gaol? A. I think nearly every one of them has passed through the gaol. I have two or three who came direct from the police court ; others passed through the gaol on their way to the institution.

Q. You know provision is made for those girls being committed to this institution without that? A. Yes, but they never take advantage of the provision.

Q. Of the nineteen you received last year how many were incorrigible? A. I should say only one or two.

Q. Have you any punishment for incorrigibility, apart from depriving them of food? A When a girl has repeatedly persisted in doing wrong, we sometimes don't allow her to go out and have recreation with the others.

Q. You have some privileges then? A. Yes, and any privileges we have allowed at any time have never been abused.

Mr. Jury.

Q. Do many people get girls from you? A. Yes, we have a great many.

Q. Have you ever visited similar institutions to yours in the United States? A. Yes ; I have visited Indianapolis, and an institution at drian in Southern Michigan, and I have been to girls' reformatory schools in several States. I think the result of our work is as favorable as theirs, but the class of children are different. Their girls remain with them until they are twenty-one in many instances, and they are never apprenticed until eighteen. Under our system the period is five years ; it varies from six months up to five years ; and as regards the institution I speak of, their girls are young women and ours are children. Our children are allowed a great deal more privileges than they are

allowed at some places ; the front doors are never allowed to be opened there and the children are under very strict supervision and are not allowed to speak to each other. We have no such hard and fast rules as these. We have tried to bring the girls up as if they were altogether at home. I never lock up my rooms. The front door is always open, and Mrs. O'Reilly's quarters are the same, and have been the same for all these years.

Hon. Mr. ANGLIN.

Q. How many hours teaching a day do you give? A. Four hours.

Q. How far do you carry the girls? A. Just as far as we can in the time ; but we try to give as much attention to industrial training as to scholastic training. A girl who went to the school is now a typewriter in the city ; another girl is a clerk in a house in Detroit, and another is married in Windsor ; but these girls were all more intellectual than the majority of those we have now.

Dr. ROSEBRUGH.

Q. The city council has appropriated a sum of money to establish an industrial school for girls ; would you favor the establishment of it in the city or would you prefer it outside? A. I think it would be better to have it outside the city. In the city they would be too near to their old associations. I think they should be so far removed that every surrounding of their new home would be different to what they have seen before. The great difficulty we have with our children is that they are never satisfied to go to the country. It is difficult to get their thoughts turned away from the city.

D. J. O'DONOGHUE, sworn.

The CHAIRMAN.

Q. You were formerly a member of the Provincial Legislature? A. I was.

Q. You take great interest in labor matters, and especially in labor unions? A. Yes, I have done so for the last twenty-six years. I have taken a deep interest in them.

Mr. JURY.

Q. In reference to child crime, Mr. O'Donoghue has paid a great deal of attention to emigration, and I should like to ask him, first, what were the number of commitments in Toronto during the last year? A. For the last ten months I can give you the number of children who came before the police court. It was stated in some returns that 146 were committed to the county gaol. The casual reader would probably be under the impression that this was the whole number brought up. The chief of police furnished me with a statement showing the exact numbers brought before the police magistrate during the ten months. In January there were, males 26, females 1 ; February, males 39, females, 2 ; March, males 43, females 3 ; April, males 36, females 6 ; May, males 47, females 3 ; June, males 53, females 4 ; July, males 64, females 4 ; August, males 53 ; females 2 ; September, males 70, females 2 ; October, males 106, females 5 ; making a total of 569 ; that is, 537 males and 32 females.

Q. Of this number, how many received sentence? A. I assume that the 146 would come out of that. I am not in a position to say that, though.

Hon. Mr. ANGLIN.

Q. There is no doubt that many of these children appeared more than once ; how many were re-commitments? A. I had that in my mind at the time, but I did not want to bother the chief of police very much. There is a phase of the subject that I desire to draw the attention of the Commission to. I cannot account for this

increase month by month. Only in the last month the number of boys went up to 106; that is, the month of October, and with one exception the numbers increased in regular rotation.

The CHAIRMAN.

Q. Do you observe that they are more numerous in the summer than the winter months? A. The figures seem to point that way, but the greatest numbers are in September and October. The fruit is exposed more in the autumn months and this is a great temptation to children. In winter they are more willing to go to school than in the summer. I think it would be a good plan to get from the police a record of the nature of the offences.

Mr. JURY.

Q. What are your views, and the views of the labor people generally, on the question of manual training at the schools? A. Our labor bodies are unanimously opposed to manual training in the schools. The understanding of manual training is that the primary parts, the merest rudiments are taught, and those who go from the school are turned out very incompetent persons in a given line. Those who are in favor of manual training talk about training of a technological character, but this really means very little from a practical point of view. All we understand of it is that they give a very superficial knowledge of particular industries to these boys. By taking a carpenter's bench, and one or two other fixtures, or the implements belonging to one or two callings, the instructors impart certain theories, and the tendency is to turn the mind of the child in this direction, and then when the children are sent out into the world they endeavor to make a living at these callings which may already in many instances. be overcrowded. When these persons are turned from the schools they naturally are obliged to take up the occupation of which they have the best knowledge. As regards the Industrial School, many who favor such institutions are under the impression that it would enable the children to be expert if more attention were given to subjects of a technical character; but as a matter of fact, this is a cause of great evil, for youths are sent out with a knowledge of the avocation in which they are engaged that is necessarily imperfect. They are not taught sufficient to enable them to enter into competition with men outside with any hope of success; the tendency is therefore to lower wages, for employers who are glad to get cheap workmen will not pay so much for an inferior as they would for a competent hand. Those who favor this manual training simply like to see one or two callings set up at such institutions, and they think that if children can pick up a smattering of any of these they are greatly benefited. Under short terms, or even under long terms of apprenticeship, they would necessarily be incompetent workmen, and the result inevitably is that a man who would be very useful on a farm is in this way turned out a very incompetent mechanic. He is an injury to himself and an injury most decidedly to the man who has served his time at the business.

Hon. Mr. DRURY.

Q. What in your opinion would be the effect of having a text-book on agriculture in the public schools? A. I think it would be decidedly advantageous, because everybody knows that we have not enough farmers in this country; and if instead of spending money importing them from abroad we were to expend money at home in fitting our young for occupations of this class, the result would be far better.

The CHAIRMAN.

Q. Is there any objection to such mechanical training as would make a man handy on a farm? A. I should think the attention of the youth would be more properly directed were it confined exclusively to matters relating to the farm.

Mr. JURY.

Q. The superintendent of the Industrial School says that he teaches boys rough carpentering and work of that kind for the purpose of qualifying them the better for agri-

cultural pursuits. He says it makes a boy handy on the farm if he knows a little about carpentering in that way? A. A boy who is not taught anything of that kind at an institution, if he goes on a farm will not be so stupid that he cannot do anything that may be required of him.

Q. In some of the institutions they claim that they have turned out very successful workmen? A. I think that if we were to devote the time that is occupied in technical teaching or training to giving the young a thorough knowledge of farm work, so that they could enter on that life with some hope of success, the time would be far better spent.

Hon. Mr. Drury.

Q. Your objection to this is that it would have the effect of unduly increasing the number of artisans and mechanics? A. Yes, that would be the natural effect of it.

Q. Speaking on behalf of the labor organization, do you say that this would be unfair and would tend to bring into their ranks an undue proportion of the population, and also have the effect of filling up the ranks with inferior workmen, with the inevitable result of a reduction in wages all round. A. Yes, as a general rule. I may say that labor bodies have been at a disadvantage in regard to this Commission altogether. We knew, generally speaking, that there was such a commission, but we did not know whether we could give voluntary or other evidence, or whether we were to get any notices requesting us to appear before the Commission, or intimating that if we did appear we would be heard. We have not, therefore, had an opportunity of putting evidence before you that we would like to put.

Hon. Mr. Anglin.

Q. Notices were published in the four morning papers inviting persons interested in matters appertaining to this enquiry to come forward and give evidence? A. I never saw them; they never came under my observation.

Hon. Mr. Drury.

Q. How does this bear upon the question of crime in the community? A. There has been a downward tendency in the confederated carpenters' wages; their wages are a great deal lower than they have been at any time within the last five years.

Q. But how does this bear upon the question of crime? A. Well, I should think a congested labor market throws people out of employment, and when people are unable to find work they have got to live somehow. The moment you crowd any calling, the tendency must be to make the struggle for life keener for those who are in it. Men are thrown out of work, and the weakest go to the wall; thus people are led to do many things they would not do if they were in regular steady employment.

Dr. Rosebrugh.

Q. I visited several institutions in the New York State, one called the Roman Catholic Protectory, where they have from 1,000 to 1,100 boys. These boys are taught printing, bookbinding, engraving, making boots and shoes, knitting stockings by machinery, etc. In the city of Rochester, just across the lake, they have a large reformatory for boys and there they have training schools covering twelve or thirteen industries. In other parts of the State we found industries were taught, and I have yet to learn that they are objected to by the labor element. A. When there is such a demand, and everybody admits that there is a demand for labor on farms we should give attention to that. There is plenty of room for boys there, but now we are too apt to give boys a training that will keep them in the city where there are too many already. Why not turn attention more in the direction of the farms for the present at any rate. I contend that where the time is not sufficiently long to enable the teacher to make a competent workman there is an injury done to the boy himself, because he is turned upon the world incompetent to earn enough for his own support at the occupation to which he is put, and through the mere fact that he is not the equal of other men in the same calling

he is compelled to work for less wages. Thus you have men of this class working cheaply and they pull good men down to their own level.

Q. They say that they accomplish in one or two years at these technological schools what they cannot accomplish in three or four years in the regular trade; that the boy is taught the principles upon which the work of the industry is carried on? A. He is made a theoretical mechanic but not a practical one. He is what, in plain English, we would call a "botch."

Hon. Mr. DRURY.

Q. What would you recommend that the inmates of the Central Prison do? A We all agree that the prisoners must work; but I will say that it is doubtful whether it would not be better in the interest of the State that the prisoners should be positively idle than that they should be in competition with honest men for a living.

Mr. JURY.

Q. Explain why the labor societies hold this view? A. Because the result of the system of labor is that the manufactured goods are put in the market at such a figure that outside free labor cannot compete with them; in other words the result is that the working man outside has to contribute towards the support of an institution which enters into competition with him in his struggle for daily bread.

Hon. Mr. DRURY.

Q. What system of labor would you have? A. I think that prison labor should be conducted on the State account principle; that it should be confined as much as possible to manufacturing what is required by the State. In the Southern States I see that prisoners are employed in making roads and in reclaiming swamps. This system is adopted in places where the muicipalities could not build the roads were prison labor not utilized for this purpose. There may be some extra cost in looking after the prisoners, and perhaps in the introduction of the system; but ultimately we think it would be a good investment That prison labor can be effectively and judiciously employed in this way has been illustrated by the experience of these Southern States, and the men never come into competition with free labor.

Q. Do you think we have got work of that kind here? A. We have had some of it. I need only point to the Don improvements. It is possible to find more work of that kind I think.

Q. Where could you find work for the men in the Central Prison? A. Could you not set them to make roads up in the Muskoka District?

Q. Don't you think there would be some danger of losing your men in that way? A. If you lost them you would soon catch them again I think up there. I would employ them at work where they would not compete with and injure the honest and industrious man who is bringing up a family in a respectable way. Then I think the work done inside the prison should be what is required for other institutions, gaols, prisons, hospitals, and asylums for instance.

Hon. Mr. ANGLIN.

Q. Is not this as much competition with the outside labor as if the goods were sold in the open market. The manufactures thus supplied to public institutions would take the place of those that would otherwise be produced by outside labor? A. The workingmen don't regard it in that light, and they know pretty well where the shoe pinches them.

Mr. JURY.

Q. Would the labor be in actual competition with free labor, if the goods did not go into the open market? A. No.

Q. And you think that that ought to be tried in preference to the present system? A. I do. In my opinion the contract system is the most obnoxious. The piece-price

system is not so bad, but we hold that in the hands of a proper business man the State account is the best system, and that there would be an actual profit to the State, provided the goods did not interfere with the produce of free labor.

Q. Can you give us figures showing the cost of the brooms made in the Central Prison and outside? A. I have not brought so many of the details with me as I could have done. Had I known exactly how far you would have been willing to go into this, I would have hunted up more figures. I am the secretary of the Legislative Committee of the Trades and Labor Conncil and I was instructed to appear before you to represent them. When I say that carpenters' wages have gone down, I may say that had I known that that subject would have been brought up I could have placed figures before you which would have amply borne out my statement. There are carpenters to-day who do not get so much as hod-carriers. Now as regards the Central Prison I can give you approximate figures, and they are pretty close. I can vouch for their accuracy. To make brooms by prison labor the actual cost of making is 29 cents per dozen; two instructors' wages would represent four cents per dozen; this would make the cost 33 cents. The storage is worth $50 a month and the machinery for producing 110 dozen a day would be worth $240 a year; that is, valuing the machinery at $4,000 with interest at six per cent. The cost of making brooms by outside labor, producing exactly the same number per day, would be 46 cents, as against 36 by prison labor. And this is not all the difference, because it does not cover insurance and water rates and other taxes, which the outsider has to pay irrespective of the capital invested. In the case of the prison everything is included in the 35 cents.

Hon. Mr. Drury.

Q. What is to prevent the state underselling free labor? A. There would be no inducement at all for the state underselling the outside market value; but with the manufacturer the case would be different.

Mr. Jury.

Do you think public opinion would allow to sell under ordinary rates? A. No, I do not.

Q. If few or none are employed in Ontario at an industry for the production of an article for which there is a great demand amongst the farming population, an article which on account of the combination controlling its manufacture, has to be paid for at an exorbitantly high price—do you think that the government would be justified in making this article and selling it to the farmers at a reasonable profit? A. Most decidedly. I am in favor of that; in fact we would ask them to do so I am sure.

Hon. Mr. Drury.

Q. You refer to binding twine? A. Yes; I say there is no labor organisation that would object to that. Of course, if it were in existence even in a small way the employers might howl about it, but I think most of the labor organisations would be in favor of the state taking up that manufacture.

Q. You would speak for the labor organisations, assuming that there are not more than two or three factories in the province. My impression is that there is but one that has been working during the past year? A. I would. I am clear upon the matter because we have exchanged views upon this very subject, and I may say we were somewhat diappointed when a change was made in the labor system of the Central Prison, that this was not introduced, and the state did not carry out what seemed to be a very this necessary thing at the time. I desire to say here and I feel justified in saying that any action the government will take tending to break up a monopoly in anything that the people require, the labor organisations would be found behind the government in doing that. We have no sympathy with fancy schemes for the benefit of prisoners, but we are favorable to anything that will tend to the advantage of the people at large. I wish it to be put on record that the labor organisations realize the value of the farming

community to the country and desire to be in accord with it; they will wish to do nothing by deed or resolution that will be any detriment to the honest interests of the farmer. Parties that go about representing that we are hostile to the farmer are representing what is not true—that is entirely wrong. We realize the advantage of agriculture to the country; we have been always anxious, ready, and willing, to go in for any expenditure of public money for the benefit of the farmers.

Mr. JURY.

Q. There is a question arising out of emigration bearing upon pauperism and crime. What proportion of our criminal and lunatic population belong to the emigrant class? A. I can only give you what is shewn by the records that have come under my own observation and knowledge. It is well known that the number of lunatics are increasing, and that the increase in the number of emigrants admitted to the asylum is far greater than of the native born Canadians. The average yearly admissions from 1877 to 1881 inclusive, were 477.2. The average yearly admissions from 1882 to 1886 inclusive were 496.2; the total number in 1888 was 3,856; and in 1889 it was 4,053, an increase of 197 on the year. The gross cost in 1889 was $490,604.71, or an increase of $31,231.32 over 1888. Then take the gaols: the total commitments in 1880 were 12,531; of these 451 were boys under 16 years of age, and 46 were girls. The gross expenditure in 1889 was $135,983.93; and the increase over 1888 was $1,840.44. In the Central Prison there were in custody during the year 1889 1,088; committed during that year 739, of whom 383 were Canadians and 356 were foreign born; and the net cost of these was $42,041.10. When I say foreign I take the whole of the emigrant class and put them against these. You thus see that close upon one-half of the inmates of the Central Prison admitted during the year belonged to the emigrant or foreign born class. Take the Mercer Reformatory, the total number of inmates was 124, that is for the year 1889. There were 64 Canadian born and 60 foreign born, and of these 22 were under 18 years of age. The net expenditure was $31,253 31. I have other figures here to illustrate that our institutions have been added to by emigration of the wrong sort. We object to the emigration of children on this score, that we have in the institutions now about 4,000 children at a gross cost in 1889 of $800,000. We hold that we have children enough of our own to provide for without going to another land for them. In our reformatory for boys the total committals, since the establishment of the institution, have been 1,788. Of these there were 1,345 Canadians, and 443 foreign born. All but one under the age of 17 years. There were in residence there in 1889, 210; and the cost of the institution was $45,330.99. Now, turning to other institutions, to illustrate how largely we provide for the foreign born element in our charitable establishments, I will take the House of Industry in Toronto. Last year there were 9 Canadians and 126 foreign born, making a total of 135. In the House of Providence, Toronto, the Canadians numbered 123, and the foreign born 425; total 548. You find in the Home for Incurables, Toronto, Canadians 32, foreign born 98; total 130. St. John's Hospital, Toronto, Canadians 72, foreign born 72; House of Refuge, Hamilton, Canadians 15, foreign born 187; total 202. House of Industry, Kingston, Canadians, 20, foreign born 123; total 143. House of Providence, Kingston, out of a total of 153 inmates there were 30 Canadians and 123 foreign. Of the latter 102 were English; they were brought out by the Dominion government who paid a bonus of $2 per head upon them; 102 of this class are provided for by us in this public institution.

Q. What age were they? A. All under 16. I may say that about four years ago I drew attention to this fact, and I pointed out how injuriously and how prejudicially we were affected by this system of emigration. These facts I take from the public documents. I take these returns as the basis of my contention.

Hon. Mr. ANGLIN.

Q. It would be absurd to go to the asylums and pick out all those who were born in England, Ireland, and Scotland in order to prove what you allege. Many of these have been here nearly a lifetime, and it would be most unfair to charge their insanity or their

infirmity against the country of their birth. It may be entirely due to the circumstances of their life here? A. We desire to be just to ourselves before we are generous to other people. We have 4,000 of our own orphans to provide for. Of course it is all very well to indulge in sentimentality. You are welcome to the sentiment so far as I am concerned. I represent the views of a very large section of the community upon this matter.

Q. In order to make out a strong case you have gone too far? A. That may be your opinion, and as I say you are welcome to it. Just think of the enormous proportion of foreign born in the House of Industry in Kingston. Out of 143, there are 123 foreign born as against 20 Canadians—123 English, Scotch and Irish. A catholic priest and protestant gentleman brought them out and they got $2 ahead for them; and a most unfortunate thing it is they ever came out here, for we have to provide for them. We object in the interests of the state and from a labor standpoint, to pay for the maintenance of such people I will direct your attention now to the orphanages. The total number cared for in the orphanages in the year 1889 was 3,706; of these there were 2,466 Canadians, and 1,340 foreign born. You see there a very large proportion came from the old country. The cost of these institutions for the year was $16,336.52 I may say that I have had some experience in this matter. I was one of the directors of St. Patrick's Orphan Asylum, Ottawa, for years, an institution which by the way has 197 inmates—27 Canadians and 170 foreign born. I found that farmers got imported children in preference to the children out of the homes here. The reason is that we take good care to look after our own children. We see how they are treated, and insist upon their being cared for properly and not abused; but as regards children brought from the old country they can do with them as they please. In connection with the importation by Miss Rye, we made enquiries as to what subsequently became of the women who were brought out here and we found, so far as this institution was concerned, that if people want slaves they will take the children that nobody cares about. The persons who bring them takes the $2 a head and get rid of them, regardless in many instances of what may become of them.

Hon. Mr. Drury.

Q. I think that we are all agreed that the system of granting aids to this class and of encouraging these persons to bring out a class of helpless people with a tendency to crime, is altogether wrong. These are not the people that we want in this country! A. I believe that the true policy of this country is to take care of our own and the more stringent measures we adopt to prevent an undesirable class of emigrants from coming here the better. Kingston has simply been a dumping place for these people, and that they should get a bonus of $2 per head for bringing the very people here that we do not want, the very class that fills our orphanages, our asylums, and charitable institutions, is perfectly monstrous.

Toronto, December 8th, 1890.

Present—Hon. Chas. Drury in the chair: Hon. T. W. Anglin, Dr. Rosebrugh.

Lucy Anne Coad, sworn.

Hon. Mr. Drury.

Q. What position do you occupy, Miss Coad? A. I have been deputy-superintendent for the Mercer Reformatory for Women since 1st July, 1885.

Q. To what class do the inmates of your institution belong? A. The majority of them are fallen women. Vagrancy is a cause of a good many coming, but that covers prostitution and very often drunkenness.

Q. The larger part are from Toronto? A No; I think we get more from Hamilton and outside than from Toronto. We get a great many from Ottawa.

Q. What are those sent from the outside generally charged with? A. Vagrancy, keeping houses of ill-fame, and being inmates of houses of ill-fame. Once in a while we have a girl for larceny, arson, drunkenness or manslaughter. I think nearly all drink.

Q. Have you any difficulty in maintaining discipline in the institution? A. Oh, yes. The way that the institution is now they have too much liberty I think, and that makes it very hard to keep them in order. The only attempt that we make at classification is that when we have refractory women we put them in a ward by themselves. In some cases they are very wild when they come in; they dance around and do all sorts of things. Mrs. O'Reilly, when she found this, said she would put them down stairs, and she did so. Four or five keepers of houses of ill-fame proved very refractory. The inmates are all locked up in separate cells at night, several cells are in the same corridor.

Q. What do you do when a woman is committed for larceny and you have no evidence to show that she has fallen? A. I think we have had several cases of this kind, but we have no way of keeping them separate. We send the new women into the work room and from that we draft them into the laundry, the kitchen, or anywhere they are needed. They remain in the work room sometimes only for a day or two until we want them in the laundry to supply the place of someone else, but in the shop the majority are incapable women—cripples, and some partly insane; many cannot do anything.

Q. You have punishment cells? A. Yes, we have a dozen cells in the refractory ward for the purpose of punishment.

Dr. Rosebrugh.

Q. Do all the women sit together at meals? A. They cannot help sitting together at dinner, and while at work they are always talking. Their tongues are always going. With us there are no gates, there is nothing to keep the women in the corridors apart during recreation time. They are continually going from one place to the other if they wish to speak with each other.

Hon. Mr. Drury.

Q. Would you say that a woman who had hitherto been a virtuous woman must be contaminated by such associations? A. Yes, it is bad in that way. Some girls who have been sent here state that if their mothers and fathers had known the kind of place they were going to they would not have been sent here.

Q. Then you don't think the Mercer has done the kind of work it was designed for? A. No. It is just simply a place of detention.

Q. If the girls in the refuge building were removed and that part of the structure given to you, do you think you could attempt classification with some hopes of success? A. We could if we kept them for a sufficiently long time. Mrs. Johnston, the Superintendent of the Girls' Reformatory at Sherbourne, watches over them until she can tell just where they are to go; but we cannot do that in any case at present.

Dr. Rosebrugh.

Q How does Mrs. Johnston, of the Sherbourne Reformatory, deal with a girl when she first comes? A. She examines her in the first place and puts her by herself in a large, nice, airy room. The girl has no means of forming any associations with the other persons in the house, and no one can see her while there except the officials or those who have to deal with her. The girl is taught to respect the officers and to look upon them as her best friends. Through not being allowed to associate with others she cannot

bring in tales from the outside. If she finds that it is the girl's first time, Mrs. Johnston, at the end of the month, will put her in grade two, and if she behaves herself, the girl will be given ten good marks. She is put in the grade at the beginning of the week and on the Monday morning she is given ten good marks. She is told how many marks she gains for obeying and how many she loses for breaking the rules, and at the end of the month the attendant in charge has recorded in her book the number of marks gained and the number lost and the girl is then either promoted or lowered according to her record.

Hon. Mr. Drury.

Q. You have no properly drawn-up system or scheme for the government of your institution? A. No, we have no rules. One week Mrs. O'Reilly assumes all authority and one week I do. There are cases where the system conflicts. One of the attendants came to me yesterday morning and asked if she could go to church. I said "If you have no duty you are neglecting you can go." It turned out that Mrs. O'Reilly had given permission to two other girls to go, not knowing that I had given permission to this one, and thus we were left short of attendants in that part

Q. Is not Mrs. O'Reilly the responsible head of the institution? A One week she is, but one week I am. I have to take all charge and assume all authority one week.

Q. How do you do during the week you are not in charge? A. I look after the work; I always take charge of the dry goods store, the table linen and things of that kind; but in the week I am on duty I have to draw up the reports and take general supervision.

Q. What does Mrs. O'Reilly do during the week you are so engaged? A. She goes about the house all the time and receives people occasionally.

Q. I suppose the week you are in charge your duties are increased? A. I never leave the building the week I am on duty on any pretext whatever. I am always there if I should be called upon for anything. The week I am not on duty I go out.

Q. You admit that there is a want of discipline? A. Oh, yes. I hardly slept last night through worrying about two women who broke everything in their rooms. One of these has been in some time; one is a little light-headed. They behaved very badly, laughing and talking while all were on their knees at worship. They seemed to take it as a joke. Eventually I had to lock them up in a corridor. The dark cells are hardly ever used. We have light cells in the same corridor. All the cells have windows opening out into the court. The women put their heads out and hear all from the tiers above. I think the punishment cells should be removed from all communication with other parts of the building. Although our building from the outside is like the one at Sherbourne, it is not nearly so complete in its internal arrangements.

Q. Do you think that any bad influences have extended to the Girls' Refuge from having hardened criminals so near? A. I cannot say that exactly, but I think they would be better if they were removed from each other altogether. The girls in the refuge cannot hear anything from the cells, but they can hear from the windows, and talk. We have found them passing notes backwards and forwards.

Q. They sometimes become acquainted with those who are in the house. I do not know how they manage it. They hear each other's names and the children get the women's names. Some children who come from the city know some of the women in the city.

Q. Could they form such an acquaintance one with another as would lead them to renew that acquaintance outside the prison walls? A. We have never heard that they have done so outside the prison walls.

Q. Do you endeavor to give all your women employment of some kind or other? A. Oh, yes. We could not manage at all without work. The greatest trouble that we have is on Saturday afternoon; and it is because there is no work. They are all round the house. I think it would be better if some changes were made in the arrangement, say that two attendants went out every afternoon, instead of nearly all going out on Saturday afternoon. The prisoners do not carry on in the same manner when the attendants are nearly all in charge.

Q. How would the conduct of the inmates at Sherbourne compare with regard to respectful attitude towards officers and visitors? A. There is no comparison at all; no woman lifted her eyes while I was going through the institution at Sherbourne. There was no laughing or talking, nothing but the utmost decorum. I think they have too much liberty with us and they abuse it. There is a great difference between the discipline at the Mercer and the discipline at Sherbourne. There all the women's faces were turned one way. The guard is on an elevated platform and she has her eyes on the whole of the women, and not a sound comes from them. Our women sit together and laugh and talk, and sing sometimes.

Q. Did you attempt to introduce into the institution here any of the improvements that you saw carried on there? A. I explained them and spoke of them to Mrs. O'Reilly, but she thought it was better not to make any change in the present administration.

Q. Did you make any report to the inspector? A. Yes, and in addition to that I brought home a copy of the rules, but he thought it would be wiser not to interfere with the existing system at the Mercer.

Q. So then we have a public institution erected and maintained for reformatory purposes, and it is not doing any good at all; but you find another institution on the same line, that is carrying on the work elsewhere that ours ought to do here. You see wherein the weakness of our institution lies, but you are not allowed to do anything to improve it? A. That is true.

Q Will you tell us what ought to be done to secure better discipline and to make the Reformatory, the institution that it ought to be? A. I think one of the most important things would be not to allow the women to converse with each other. I think if we adopted the silent system, there would soon be a change apparent. I am afraid it would be a little difficult at first, but it could be done. At Mrs. Johnston's establishment once in a while they talk, but it is in an undertone, and when they catch the eye of the guard they stop at once. They cannot carry on continuous conversation as they do with us. If this silent system were carried out with us, there would be a great diminution of the present evils. I noticed that no attendant was allowed to do anything but to keep her eye on the women under her, and unless this system is rigidly enforced you can do nothing effectual in the way of preserving discipline. It has never been enforced with us.

Q. How do you find the prisoners take to work? A. The majority prefer work because they think it passes the time away better than if they were not employed. There are others who are naturally lazy and don't want to work. They would rather sit and knit.

Q. Have you a proper system of labor there? A I think so, the majority of the girls work a certain number of hours.

Q. Is it an instruction to your guards that they shall during the hours of labor, exact from the prisoners a certain amount of honest labor? A. They are supposed to keep them at work, and they report them when they don't do it.

Q. Can you tell the proportion of those discharged that you would say have been reformed? A. I cannot, because there are a great many we never hear of again. They may be in some other institution, or they may be behaving themselves all right and keeping out of trouble. We have had some back, six, seven, eight, or nine times—one or two of them.

Q. Do you consider that the term of imprisonment in the Mercer is sufficiently long to effect reformation? A. I don't. I think this is where a great deal of trouble arises. They come in for six months and as soon as they begin to go "down hill" as they term it, as soon as they reach the middle of their term, they count the days until their time expires. There are seven going out this week, and three or four of them have been thinking and talking of nothing else. I am afraid that not very many are reformed. There are many whose conduct has improved greatly, and we hope that they are reformed. I know of a few cases where they are reformed and are doing well, but I would not like to say how many.

Q. Is the practice encouraged of making application on the part of the citizens for persons in the institution? A. Yes, we watch a girl and can tell pretty well from her conversation and actions whether she intends to go back to her old life or not. We try to get places for everyone whom we think we can recommend to go into a family.

Q. Do you keep track of them after they are placed in families as domestic servants? A. Yes, but we don't go to visit them very much, because that puts a sort of brand upon them. The mistress knows perhaps what the girl has been, but probably the other members of the household do not, and we keep the matter as confidential as we can; and with that object in view we communicate with them by writing and get bible women to visit them.

Q. Do you think it is desirable to keep outside news from the prisoners? A. Decidedly. I think they should not be allowed to look at newspapers, for they revive old associations. They see reports of the court proceedings and the effect I am sure cannot be beneficial. Another thing, their friends have been allowed to bring them large quantities of fruit. I do not think that this is advisable, because one does not know what is behind it.

Q What do you mean by friends in this case; are they relations? They claim to be husbands and brothers, but sometimes we are doubtful. I do not think that there is a limit to the number of visitors, because I know in the case of the celebrated Pearce family five came up at one time. We are very careful that they see nothing but relatives so far as we know, and we are careful also about their receiving letters from friends and relatives.

Q. Do you think that any of them are anxious to do well? A. A few are, but many are not. There was one woman who had been in before, a very useful woman so far as work was concerned, and yet she seems unable to control herself. I said to her yesterday "I am sorry to see you here again a good worker like you" and she said "I would rather be here than anywhere else." She is in for drunkenness.

Q Great inducements are held out at Sherbourne for the women to reform. Do you think the effect of them is beneficial? A. Yes, I do. I was going to say that they have different grades there. They have different dining rooms, and different badges, and distinctions are made between the different grades, in the way of giving them butter, and sugar and cream with their tea. Each grade carries with it certain privileges. In the higher or honor grade, for example, they are allowed to work in the garden, and other advantages are given them; Those in the lower grade are treated about the same as ours. The different classes are distinguished by their numbers and badges. No. 1 has one plaid, No 2 has two bars in the plaid, No. 3, three bars, and No. 4, four bars.

Q. Who controls the work of the officers? A. The Inspector I think. Since I have been there one or two have resigned, and one or two have been dismissed, and the appointments have been made by the superintendent, recommended I think by the Inspector.

Dr. Rosebrugh.

Q. Do you think that girls would be more likely to be reformed if there were two separate institutions—a Protestant institution for Protestants, and a Catholic for Catholics? A. I think it would be better if they were so divided. Of course Mrs OReilly and I get on very well.

Q Do you think that they talk about being Protestants and Catholics, and about the merits of their respective doctrines? A. They do, and this interferes with discipline. It provokes angry retorts. We don't interfere much with it, because if we took it up we would be in trouble amongst each other.

Q. Do you think that girls who may become devout are likely to be teased about their religion? A. They continually do this amongst each other. The Catholics and the Protestants sneer at each other. We try to counteract this; we try to avoid this, but it does exist.

Q I would like to ask you whether you think that an institution of this kind would be better managed by a Board of Commissioners than by Government Inspectors? A. Well, I found on the other side, institutions of a similar character to ours were under the management of commissioners and they seemed to work admirably.

Q. Mrs. O'Reilly told us that you had no rules in the institution; don't you think this works badly? A. Decidedly. The women say that they don't know what they are to do. One week they say they have one order, and another week they have a different order. There are continual changes in this respect and no notice given of them.

Q. Could you make a classification from a moral standpoint as regards the work; keeping the different classes apart by giving say class 1 laundry work, and class 2 some other work? A. Not as things are now.

Q But if there were a proper structural rearrangement, would there be any difficulty as regards this? A. I think there would be, because a girl might behave very well and she might not be put in the grade with others doing as well, because she is not qualified to perform the work of that class.

Q The idea would be to have separate work rooms, separate dining rooms, and separate sleeping cells? A. Yes.

Q. Can you not give us an idea of the proportion who come back to you more than once? A. I have not the statistics. Some come back two or three weeks after they leave us; some again are re-committed two or three months after. A number of old drunks and vagrants come back.

Q. The returns don't shew, so far as I can find, what the terms of sentence are? A. They are generally about six months I think. We have had some lately in for a shorter period than that; but it is almost impossible to do anything in the way of reformation with those who are sent to us for a few months. In some of those outlying districts they have only a lock-up, and no place to keep women who are convicted, and they send them to us. We had one or two down from Port Arthur, and you know what an expense it is to send them all that distance.

Q. Have you ample work for all the women you have in the house? A. We have plenty of work. Until the labor question was raised we could do more still, but they would not allow us to do tailoring; owing to an objection raised by the Labor Unions. Now we have the knitting for Penetanguishene. We have no outside orders for sewing.

Q. You believe a great many are brought to their present position by drink? A. Yes, I think so. They get drink and then they become reckless.

Q. How many Catholics are there in the Mercer? A. There are nine.

Q. Do you think that the location of the institution in the outskirts of the city is a good one? A. No, especially as it is possible for people outside to make signs to the inmates. All the cells open out to the front and the back, and every cell has a window; even the punishment cell; and I have noticed on several occasions men on the cars —railway men, signalling and waving their hats and handkerchiefs. Of course they know what the institution is and they could not distinguish us from the inmates at that distance.

ROBT. W. LAIRD, sworn.

Hon. Mr. DRURY.

Q. What is your position Mr. Laird? A. I have been bursar and storekeeper at the Mercer Reformatory for women, for ten years and six months.

Q. Do you think that there is any real work of reformation going on in the institution? A. Well, I see a good many things, but my duties do not take me very much into the building itself. I have often thought that a good many alterations might be made with a view to placing the establishment on a more efficient footing. I think there ought to be devotion to the work, because the work of reformation amongst that class of people must necessarily make great demands upon those who are engaged in it. There are great obstacles in the way, and when the two classes are mixed as they are there, they have no sympathy with each other. They don't think the same means should be applied, and they don't use the same means to accomplish the work. There are divisions in this way, and it is very hard under those circumstances to accomplish reformation.

Q. You heard Mrs. Coad say that if a woman evinces seriousness in the matter of religion it would be made a matter of reproach? A. Yes, this is not so much amongst the women themselves as amongst the attendants; I refer to the staff. The staff themselves don't agree. Last year evangelistic meetings were held and several women professed to be converted at these meetings, and they were jeered at by the guards and attendants, instead of receiving encouragement and strengthening counsel. I believe this exists as regards both classes; but it was only brought under my notice in respect of one class. For the sake of both Catholics and Protestants I think if any persistent effort is to be made in the way of the reformation of these women it will be necessary to divide them.

Hon. Mr. DRURY.

Q. This is not found in the United States? A. They don't seem to disagree so much there as they do here. I do not think that there are any distinct services.

Q. In all the institutions that we visited there were Catholics and Protestants as well, and they often attended the same services? A. I know that in Indianapolis there is one service, at which both attend.

Q. Does the system you have in your institution work well? A. It does not. Every prisoner's previous history should be ascertained, and this could easily be done by the police magistrate in his official capacity. Then the classification of the prisoners could be made on the basis of their previous record.

Q. Would you regard keepers of houses of ill-fame and confirmed prostitutes as being of the worst class? A. I would regard them as the most hardened, and the least amenable to reformatory treatment. You could grade them according to their criminal life, and hopes of their recovery.

Q. What is your impression with regard to the success of the institution from a reformatory point of view? A. I was better posted in regard to it during the first five years when Mrs. Laird was Deputy Superintendent than I am now. I know that then there were a great many cases that were considered very hardened, and in fact, irreclaimable, but some were brought to lead a better life. I know one very pleasing instance of a person who at one time was very degraded, but who by having been brought to a knowledge of the truth was led to lead a pure, virtuous and good life.

Q. Do you think that great changes would be necessary in the internal arrangement in order to effect a much better classification? A. I think the changes necessary are considerable. The eastern wing now I am afraid is almost lost. These three tiers of iron cells are seldom occupied, and if these were removed, and the place turned into work rooms and dining rooms, it would be a good thing.

Q. You would require to remove the cells? A. I think so; but you could floor them, or separate them to a certain extent; on the other side there is the same principle but not quite so large. This could also be made into a separate department, and the central building could also be so constructed as to make a third department, so that you could have very well three distinct classifications. In the children's Refuge, as it stands at present, there is of course a difficulty. If it were taken away altogether it would be a splendid thing for the place.

Q. What is the present accommodation at the institution? A. There are 198 rooms, partly cells; there are brick partitions and iron doors.

Q. Did you ever run up to the full extent of your accommodation? A. Not lately; we have run up at one time as high as 175.

Q What do you think is the cause of the decreased number? A. I think the decrease is chiefly owing to the suppression of houses of ill-fame in the city, and the drafting away of the class of women who were here for immoral conduct.

Q. What revenue do you get now from the industrial department? A. Between $4,000 and $5,000; it might be increased.

Q. What is your impression as to the actual condition of matters from a disciplinary point of view? A. I think it would be advisable for the sake of the inmates if a little more strict discipline were enforced.

Q. You regard the discipline there as being lax? A. I think it is. The want of discipline is a good deal owing to the fact that the staff has not been appointed with respect to fitness for the positions they occupy. You know there are a good many elements enter into the appointments at an institution like that. The appointments are not good.

Q. You have heard Mrs. Coad's evidence as regards divided authority at the institution. Has any impression been made upon your mind as to the manner that system operates? A. It strikes me that it is undesirable that there should be anything of that kind, because if something should go wrong there would be a difficulty in saying where the responsibility would lie.

Q. Have you any recommendations to make? A. The objections lie principally on the want of classification; want of united effort on the part of the staff. These are to a large extent I think the cause of there being so little reformation amongst the prisoners. If you want to conduct a manufactory or any particular branch of business successfully you would not employ people who know nothing about the business. It is the same exactly with reference to appointments to an institution like the Mercer. If all were zealous in the performance of their duties there would be unity of action instead of discord

Q. I suppose you regard the class of women who go to the Mercer as not being to any very large extent susceptible of reform? A. They are the class of people that the Salvation Army gets hold of and they reform a good many of them. That is because they are all united, and they have one object in view. Everything is done towards this one object and they accomplish it. I have no doubt that this could be accomplished as regards the reformatory if the work were undertaken in the same spirit and on the same principle.

Q. A large number of your prisoners come in under short sentences? A. Yes; a very large number are under nine months, and very few run as high as eighteen months.

Q. Do you think there is any practical utility in sentencing a female prisoner for two months in the reformatory? A. None at all. It just wastes the cost of her passage if she comes from the country; for if she is a worthless character no good whatever is accomplished. There are few magistrates who seem to appreciate the fact that the institution is a reformatory. I think if they were informed as to what the nature of the place is, many would have a better notion of the kind of people they ought to send there.

Dr. Rosebrugh.

Q. Do you believe that the reformatory is really doing any more work in the direction of reformation than a county gaol? A. Oh, I think so I do not think that in the county gaols they attempt any reformation at all; they merely put them into the cells and leave them there until their time expires. Thirty days are just long enough to sober them up and fit them for another spree.

Q. What are your ideas as to having all prison and reformatory matters in the hands of a commission or advisory board, rather than as we have them now, under the direction of the inspector? A. I think it would be very advisable if there were a judicious advisory board of gentlemen who would visit the institution and interest themselves in its management—visit as often as they liked, and certainly not less than once every month. These gentlemen should consult with and advise the officers. It would keep them from getting rusty, so to speak.

W. M. F. Round, New York, examined:—

Hon. Mr. Drury.

Q. We availed ourselves of your presence in Toronto to-day to ask your views upon matters connected with our inquiry. What is your official position? A. I am corresponding secretary of the Prison Association of New York. I have been secretary of the National Prison Association of the United States, and I was one of the United States delegates to the International Prison Conference at Neufchatel. I have charge principally of the Burnham Industrial Farm, an institution for the care of delinquents—unruly boys. Our society, the Prison Association, has jurisdiction over many institutions, and these institutions I have to visit as their visiting officer. I have to visit in that capacity Elmira Reformatory. Our office is the reporting office of the institution. I may say that the Prison Association of New York holds the same relation to gaols and penitentiaries as the Board of Charities does to asylums and poorhouses. We have great powers of inspection.

Q. How are the members of the board appointed? A. Ours is a board that perpetuates itself. It was established by charter in 1846; amongst other things it has the right to establish workhouses, and we have established workhouses. The association is chartered to hold property not exceeding $300,000 in value. It is a semi-official board. We are obliged to make a report to the Legislature every year.

Q. Does your association receive a public grant? A. Nothing at all. It formerly received $5,000, but we decided upon putting it on an entirely philanthropic basis. It is governed by men who have subscribed liberally to the work. We found ourselves hampered by the $5,000 we received from the State and we gave it up.

Q. What does the association do in the way of practical work? A. We have a house that we own, where our officers are. We work for discharged prisoners; we find employment for them; we have from 600 to 1,000 prisoners passing through our office every year. We find regular employment for some, taking counsel with other bodies, and we give temporary employment to a great many. We have a press bureau in connection with our work for furnishing items of information, and this is entirely run by discharged prisoners under the supervision of a very excellent man. We do all our own printing We have legal men whom we employ in courts to protect those who are unjustly accused, and we protect arrested persons who are frightened and lose their wits against sharpers who knock about the Tombs prison. We have an agent in the courts all the time. Our operations extend over the whole State. We have one of the largest penological libraries in the world. It is used by people everywhere who make penology a study. We have a county committee in every county. We have sixty counties in New York State. These committees look after the institutions and report to us, and we maintain a correspondence with all the prison authorities and prison societies in the

world, and with their best men. We had, for instance, at the head of our correspondence department in England the late Earl Carnarvon, and there was no better authority on prison matters. Mr. Hill, of the Howard Association, is another correspondent of ours, and Sir Walter Crofton.

Dr. ROSEBRUGH.

Q. You keep up correspondence with the county associations? A. We have reports all the time from them. We find that the existence of committees, whose duty it is to keep a strict watch on all matters connected with the gaols, has an excellent effect. The fact that fifteen or twenty of the best citizens are looking after prison affairs is a great security to the community.

Q. Is this power of inspection made an act of courtesy on the part of the Government? A. Not by any means. The office of the superintendent which existed under the old board continues as regards the State prisons, but we have the authority of inspection in the gaols and penitentiaries.

Q. Penitentiary in the State of New York has the same meaning as a House of Correction in some States? A. Yes.

Dr. ROSEBRUGH.

Q. Are you the recognized official inspector? A. Oh, yes. We are recognized so much that the last gaol I inspected myself I went at twelve o'clock at night, took possession of the gaol and put every man under oath, calling them all out one by one and I discovered abuses in the gaol which we could never have discovered in any other way. I had all the books brought to me and obtained all the information I required.

Q. You have no power of dismissal? A. We have no power of dismissal except such as comes in the natural course of the law. We have the power of inspection, and we have a perfect right to bring the result before the grand jury. If the grand jury should refuse to take action we may take measures to enforce our recommendations by mandamus. We have never found it necessary to resort to extreme measures. We are backed up so much by public sentiment that we can make such changes in the gaols as we demand without having to resort to force or compulsion.

Q. Have you anything corresponding to the Boards of Prison Commissioners in Massachusetts and Ohio? A. No, the executive force of our prison management is vested in the Superintendent of Prisons. His duties are confined to the State Prisons. I may state that the prison association has more power over the gaols in the counties than he has over the State prisons. We find it is a very useful thing not to be a paid organization. I receive a small salary from the prison association, but the work is mostly voluntary. Our powers were given us by a charter which abolished the old inspectors of prisons.

Q. Have you any difficulty in getting public spirited men to act upon the local boards? A. No We have some of the very best men in the State acting on these boards. As chairman of the committe at Albany we have Bishop Doane. There are on the committee Robt. O. Pyne, James F. Cooper, Matthew Hale and others. There are six or seven hundred men whom you may regard as the strongest men in New York State on these committees.

Hon. Mr. DRURY.

Q. Do you find any difficulty in influencing public opinion and official and political opinion sufficiently to obtain such progressive legislation in regard to the gaols as you require? A. None whatever. We have just passed a bill in New York State which went into force on the 1st of January last, which Frederick Hill, the eminent British penologist, who may be pronounced the leader in penology, says is the ideal prison bill in the world: it embodies all the latest and the most improved methods of dealing with prisons—the Fassett Bill. The chief points of this bill are a graded prison system dependent upon age, criminal life, and progress in criminality. It provides for the indeterminate

sentence permissively within the statutory maximum term. It will be a great many years before I advise more than permissive powers to the judge for sentencing men under the indeterminate sentence. It provides for the conditional liberation of men on parole, leaving the period of liberation to be determined by a non-partisan board, of which the Superintendent of Prisons is the chairman. It provides for a diversity of trades in the prisons, and occupations of a varied character, so that each prisoner may be taught that which by his natural capacity he is best suited for. It provides for every prisoner having a share in the surplus earnings of his own labor after the cost of his maintenance is defrayed, subject to good behaviour of course. This would enable him to provide for his family, for the money can be paid to his family if he has one, or paid at his request, on his release, to himself. It provides for the establishment of a separate prison for habitual offenders—incorrigible criminals.

Q. Will this necessitate the erection of a new prison? A. No, because we have a prison at Clinton that has never been used. It will increase the number of people sentenced to the State prisons and reduced the number sentenced to the penitentiaries and gaols. Many men are sent to the penitentiaries because their offences is technically called burglary. A man in a drunken frolic breaks into a store and it is called a burglary. Perhaps he has been a tough and round town, perhaps he is a man whose general character apart from this has been good. No judge will sentence this man for five years, but you would give him a term in the penitentiary of say two years, whereas under the new law he would be sent under the indeterminate system to the State prison.

Q. Will this involve an enlargement of your State prison? A. We have long needed a larger State prison. I may say that we have a bill drafted for the abolition of the county gaols and the establishment of some intermediate institution.

Hon. Mr. Drury.

Q. Is there any practical difficulty in the State of New York in regard to dealing with those who commit breaches of the municipal by-laws? A. Breaking any municipal by-law is a misdemeanor and it comes under the general State law.

Q. But what is your proposition in regard to this large class? A. I think in many instances it would be better not to sentence them at all. If a man disregards the law and sets it at defiance after the first time he should be sent to the district workhouse under the new system, if it were for only ten days: I would send him for ten days.

Q. Your proposal is to wipe out the county gaols for all prisoners who are serving sentence? A. Yes, I would have no sentenced prisoners there. But my idea is that a man should receive a public admonition when he is brought up in the first instance for some trivial crime.

Q. How would such a system operate in our case? A. You could put one of these establishments I speak of in the middle of four or five counties, and then the difficulty would not be so great. It would reduce the cost of removing the prisoners long distances, and it would also do away with the necessity for maintaining separate staffs in each county gaol. I do not see why we should keep two or three thousand people, or twenty thousand people, in absolute idleness. I do not see what practical difficulty there is in having these intermediate prisons. We have sixty six county gaols and have sixty counties. The State would take these at a valuation and would erect six more district work houses for the prisoners now in the county gaols: that would be between three and four thousand, perhaps not quite so many, it might be about three thousand.

Q. Have you decided who is to be the authority to determine what is to constitute an incorrigible? A. A permanent board would be appointed who would pass upon the charge and investigate it.

Q. What results do you expect to obtain from the incorrigible prison? A. Those men who have been preying upon the public all their life, we propose to withdraw from society altogether. We say to them "Society has no grudge against you, but it is desir-

able, in the interests of the community at large, that you should be sent to this institution." There are several crimes that would come under the category of offences for which prisoners would be dealt with in this way. There are burglaries, forgeries, and aggravated crimes of that nature; but the determination of the men to be subjected to this sentence would be in the hands of a permanent, non-partisan board, as I say, of which the superintendent of prisons will be the head.

Q. Then you would never give these prisoners an opportunity of redeeming themselves? A. I think that after a man has been sentenced a third time for burglary it is a sufficient indication that he has no intention of reforming.

Q. How about inebriates? A. We have no provision for the inebriates under our law. We have a committee now in conference between the State Charities and prisons considering the law for correction of habitual intoxication, and the feeling at present is that every man who is arrested and known to be a habitual drunkard, should be treated for insomnia as long as the disease remains on him. We shall not wait for a man to murder his wife in a state of delirium tremens before we take him in hand. The State authorities say "We want to have the power to take a man up and treat him while there is hope of effecting his reformation."

Q. Do you regard drunkenness as a disease or a crime? A. The feeling of the conference is to regard it as a disease, and a disease that can be cured under medical treatment.

Dr. Rosebrugh.

Q. What principle would you adopt with regard to their treatment? A. Just as they are provided for in an insane asylum. It is understood that the State provides for men there and cures them.

Hon. Mr. Drury.

Q. You have one or two inebriate asylums already in New York State I understand? A. I do not know much about them. I know that they are not altogether satisfactory; but we have no power over those. We hear sometimes that they are not at all accomplishing what was expected of them.

Q. What do you think should be done in regard to the detention in the county gaols of persons waiting trial Would you advocate classification there? A. No. You must remember that every man in the county gaol is presumptively innocent. We hold that every man should be kept separate from every other prisoner. We think absolute separation is necessary. All the gaols that are built on the models we provide are constructed for this purpose.

Q. Are you in favor of the cellular system for the penitentiaries? A. Not that system that is in operation in the Eastern Pennsylvania prison. At the time I visited West Chester prison they turned in $96 after paying the expenses and maintenance of the prisoners.

Q What were the men employed at? A. They were shut in their cells; they have a rag industry there and this is carried on in the cells, They have five or six hundred prisoners there. They have their looms and the men sit before them weaving rag carpets. They pay 30 cents a year for them. Each man is obliged to do this to pay for his bread and butter, and for what he weaves over this he gets an allowance of so much per yard. Short term prisoners are employed in cutting the rags. I never saw more angry looking, madder looking men in my life. These men would not work on the previous day when they were brought in there. I asked the authorities what they did with them. They said that when they refused to do anything they adopted the simple plan, no work no dinner. The next day they were all at work. I asked them what they did with those men when they left. They told me that one man had saved $96 and a fraction. They had bought him a loom and hired him a room to put his loom in. His sign was painted

and the people now took their rags there. The man was a capitalist when he went out. That man will never be a criminal again in my opinion. There would not have been one of these men there if he had had $10 in the bank.

Q. What do you think of this resolution passed by the Prisom Reform Conference which met in Toronto in November of last year: "A boy under 14 years of age not previously vicious should be restored to his parents upon their giving a guarantee of his future good conduct; failing this he should be sent to an industrial school;" and then the next resolution reads: "A boy under 16 years of age having a natural tendency toward crime, or being convicted of a second offence, should be sent either to a reformatory direct or to an industrial school on trial, according to circumstances, and a special court should be organized to deal with these cases as well as females charged with light offences. A boy should never be brought to an open court or be sent to a county gaol?" A. I think that is an admirable thing. We have not done all that in New York. We have had it under consideration, however, and some of our leading men have expressed opinions upon the subject. Judge Wayland, Dean of Yale College Law School, said to me he was strongly in favor of a law to this effect being passed.

Q. You have had great experience in matters connected with criminals and crime, and your immense correspondence will render your evidence invaluable upon this point. What in your opinion is the chief cause of crime? A. I must refer you to the third chapter of Genesis for the cause, and if you can remove it I am sure we will all be glad.

Q. We are talking of a cause that can be removed now by legislation? A. Well, I will give you one cause which I set out pretty fully in an article of mine in the *Forum*; that is our immigration system. I do not know whether you find it so in Canada, but to my mind our immigration laws in the United States; or, rather, I ought to say our immigration system, causes a good deal of crime. At one time we were in constant receipt of letters, and men came to us who had been sent out by various local bodies in Great Britain and Germany and other places. Many of them were given papers to go to Manitoba and the North-West, but they only gave them money enough to pay their fare to New York. Their papers were drawn up for Manitoba so as to avoid the law. This fact became so notorious that the Secretary of the State admonished us that we should not give succour or pay money to these men. The facts became known to the authorities and we have not had many of this class lately. It is astonishing with what coolness these societies engage in this work. When I was in London I met several gentlemen who were connected with these societies. One of them said to me, "We don't send these men to you, we send them to Canada." Well, I said, "How do you know that the Canadians want them." I don't know how you like being made the receptacle of people of this class.

Q. What is your opinion as to the class of crimes that are usually committed by people of the stamp you have been describing? A. Crimes of violence, crimes against the person very largely. I went into the subject very fully in the article I speak of in the *Forum*. I would advise you to look up a late article by Prof. Leoni Levy, who is a great authority upon the matter, and you will see from his figures how much some nationalities are in advance of others in this matter.

Q. Will you give us in your opinion what are the chief causes of crime in a categorical way? A. There are so many things involved that it is almost impossible to give off-hand answers to a question of this kind. Of course drunkenness is the cause of a great deal of crime. Parental neglect and drunkenness. It comes, too, in very many instances through weakness, physical or mental. That is the result of heredity, hereditary conditions and sanitary conditions. You will often have to go back for more than one generation to find out the causes of crime in a family. I think drunkenness in the State of New York produces a good deal of crime. It is the cause of the miserable homes, the bad environments of a great many. These conditions are great factors in the production of crime. I am unable to tell you or explain to you how much drunkenness is due to these miserable homes and bad environments. You cannot purify the neighborhood where

these exist without removing the saloons. You may remove the saloon and you would still find that bad drainage, bad ventilation, will produce the evils that you seek to remedy.

Q. Can you say what proportion of juvenile crimes are due to drunkenness? A. I think you will find that dealt with in Mr. Brockway's reports. He has enquired into this question and his reports are all reliable. I should expect drunkenness to be a factor in it, whether it is the cause or not. It is difficult to say where you can draw the line. I should hardly expect to purify a neighborhood until I removed the facilities for drunkenness from it.

Q. What would you say is the next cause of crime in the State of New York A. Helplessness, lack of knowledge of how to get a living, and lack of training in habits of industry.

Q. Laziness I suppose? A. Not altogether that; but we find so many young criminals who don't know how to do anything. They have been to school; they have received a fair elementary education and have thus a smattering of learning. Perhaps a boy whose father keeps a store and who has been accustomed to wearing good clothes, does not care to learn a trade or go into the store as his father has done. He grows up without any special training, and when the time comes he is unable to earn his living and drifts into crime.

Q. You think that to be half educated is rather a calamity then? A. I think to be educated in the mere accomplishments and not in the real requirements of life is absurd. I do not know how it is with you, but take the boys out of school, in ninety-nine cases out of a hundred if you ask them about the theory of work they cannot tell you. If you ask them to drive a nail they cannot do it. If you ask them to do anything that involves a nicely trained hand and eye they cannot do it. There is contempt for manual labor amongst them and that is fostered by our whole educational system. I advertised one time for a stenographer at eight dollars a week. I fixed the salary so low because I did not not care for a very rapid stenographer for the work I had in hand. On the same day I advertised for a carpenter to go to the Burnham Industrial Farm at forty-five dollars a month. I had seventy-two answers for the position of stenographer and one for the position of carpenter. I advertised for an office boy at three dollars a week, and not only did I get scores of boys, but my office swarmed with grown up men even.

Q. You attribute a great deal of this to defective school training? A Yes, and false ideas of life.

Q. I should like to ask you some questions with reference to the Burnham Industrial Farm? A. I am very sorry, but I have an appointment to keep in a very few moments, and I have to attend a meeting of the Discharged Prisoners' Aid Society this evening; but the whole of our work in connection with the farm is fully set forth in our reports and circulars of which I will send you copies. I cannot give you any more information than you would find in these.

TORONTO, December 9th, 1890.

Present: J. W. Langmuir, Esq., Chairman; Hon. Charles Drury; Hon. T. W. Anglin; Dr. Rosebrugh.

Rev. W. A. V. E. PATTYSON, sworn.

Hon. Mr. DRURY.

Q. What position do you occupy at Penetanguishene Reformatory? A. I am an acting chaplain. I think it was sometime in February when we were appointed under the present arrangement. I was visiting chaplain sometime before that. During Mr. Lloyd's term of office I visited the institution once a week. I spent one hour a day there, two days a

month ; the first and fourth Tuesday in each month. The hour was from four to five o'clock. When Mr. Lloyd resigned the Inspector called the ministers of the three denominations in Penetanguishene, the Methodists, the Presbyterians and the Anglicans, together, and asked us if we would take over the work of the chaplaincy of the institution between us, and we did.

Q. What arrangements did you make between yourselves as to how the duties were to be performed? A. To take the Sunday services turn about. Every third Sunday I go there and conduct the service from 8.30 to 9.30 in the morning. That is the public service for the Protestant boys. Then in regard to the Sunday school, not being able to attend in the afternoon, each of us having our own appointment for the Sunday afternoon, we succeed in making arrangement with a very efficient Sunday school superintendent to attend the Sunday school for us, and also to conduct morning and evening prayers during the week. Then we have arrangements amongst ourselves under which each visits the institution two days in the week. When we visit the institution on week days, it is not possible for us to gather all the boys together. Each of us covers the boys of his own denomination and gives them spiritual instruction in the way of bible reading for an hour or an hour and a half. Of course we have a general oversight over them all. We generally go into the school room and call out any of the boys to whom we think it is desirable to give religious instruction, and we have the privilege of calling these together and talking with them. We have a chance of moving round amongst them. On Tuesday forenoons from 11 to 12 o'clock we distribute the library books. The library is not a very complete collection but it contains instructive books. There are a large class of books that have been read and re-read so much that they are hardly any use now ; but being under our control we do the best we can with them. We made a requisition for more books, or for a library grant and we got $50 or $60.

Q. Do you find the boys are anxious to read? A. Yes. Some boys are very anxious to read scientific literature—*Harper's Weekly* is very popular, *Blackwood's Magazine*—and they have had a number of extracts from the best magazines in the country. Then we have a book there called the *American Journal*, which gives a good deal of information about mechanics and so on. There is *Scribner's Monthly* ; then there are other periodicals like the *Boys' Own Paper* ; in fact, we have a great deal of literature of that kind which they like very much. The boys are very fond of literature such as you find in the Sunday schools ; books of travel they are very fond of. One boy has asked me already for Stanley's latest book ; "Darkest Africa." They go into the dormitories at six o'clock, and they read in their beds from six till nine o'clock.

Q. Is the light sufficiently bright? A. Oh, yes, the places are properly lighted.

Q. Do you think that the present system with regard to the chaplaincy is likely to be as efficient as the system that preceded it, under which the boys had the constant presence of the chaplain? A. In a case of that kind much would depend upon the faithfulness of the chaplain. There is no doubt that a man being constantly on the spot would be able to get at places where the boys are not expecting him and would to some extent be better able to check them. Then assuming that the regular chaplain who has been appointed gives his whole time to the work, he necessarily has more time for studying the character of the boys.

Q. Assuming that you have a thoroughly efficient and attentive clergyman, would his work be more effective do you think, from a moral and religious standpoint, than the present system of divided duty? A. I am not sure that it would. You see under the present system we have the opportunity of going amongst the boys a good deal, and we learn their history from them. Of course, even if you were entirely at the institution, the boys are at work for a great part of the time. You may go in and watch the boys at their work, but there is not much chance of your being able to do anything for them while they are there. Now in the schools they are hard at work under a teaching staff and you could not have the constant presence of the boys there, for their time

is naturally pretty fully occupied. Thus you see that after all the presence of the chaplain at all hours within the institution would not be a very great advantage; in fact, I am not sure whether the advantage would not be more on the side of the present system.

Q. Do you succeed in gaining the confidence of the boys thoroughly? A. Oh, very much so. I might outline the plan I pursue with regard to this. I take ten or fifteen boys into a large room on the days I go there. These boys are brought up to me by the guard. The room, it is the vestry of the chapel, is nicely heated and comfortable. I spend perhaps 25 or 30 minutes in singing and prayer and in catechising the boys, and then I devote the rest of the time, an hour or an hour and a half, to private consultation with these boys. I have taken the trouble to go through the record of many of the boys to find out their previous history; how long they have been there; what they are in for; when they go out; and thus I become thoroughly acquainted with the facts of their history. While I am talking to a boy privately in this way, the guard sits with the others; and they have their bibles there, and the guard if he is a singer will perhaps sing with them. I put each boy through a close set of questions. I caution him in the first place to be very truthful, and to be free in opening his mind in any way he likes, and I have succeeded in getting hold of the boys in this way; in fact, I may say I have succeeded admirably in getting into close confidence with a very large number of the boys.

Q. Can you get the boys, or any considerable number of them, to speak of the causes that led them into crime, and of the circumstances of their life, and their surroundings? A. Oh, yes, I get this while I am in consultation with them. I find out what has led them into trouble. I find out what kind of a father a boy has, and what kind of mother, and the circumstances that led him into the transgression. Some of them I may say are there for very grave offences, some for offences not so grave, and there are some for mere nothing. Sometimes throwing a stone through a window in a street will bring a boy there. The boy is taken before a magistrate, and the magistrate not knowing what to do with him—perhaps he thinks his home is not satisfactory—sends him here, believing it to be the best place for him. They come here not perhaps by any means bad boys, and the trouble is how to deal with boys of that description. There are no grades, and it is difficult to come to a conclusion as to the moral influence that association with the others would have over them. There must be a bad tendency.

Q. Are you impressed with the truthfulness of the statements that they make to you? A. The impressions you receive vary. Some boys will be too honest; they will say too much. Others will be exceedingly reticent. I sometimes feel that I can trust a boy that is backward rather more than the boy who is too gushing.

Q. What are your views as to the reformability of the boys? A. I believe that there is work of reformation going on in the institution. It is really a great piece of encouragement to be able to say that we have from time to time had very nice results from many of the boys. Some of them are incorrigible—are so naturally vicious that we are altogether discouraged and despair of doing anything for them. The great majority, however, are very attentive. Take the Sunday service for instance—and it is essential under the present system that you should know how our ministrations are received on the Sabbath day—it is really astonishing that we are able to report such spiritual progress as we are now making. On the Sunday morning they are brought out at 8.30; they are formed into parade order and brought to the chapel, and there they are very attentive; they respond heartily in the opening prayers and repeat the Lord's prayer in concert. They are very attentive to the reading of the Scriptures and they sing splendidly. They have some knowledge of singing and they are very fond of it; they appear to be very devout, and I really think that as the result of the Sabbath services there is considerable good done. We had some difficulty with the singing owing to a change in the organist, for it takes some time after a change of this kind before they get into the way of things.

Q. You speak of the Sunday service in the morning; then I understand there is the Sunday school in the afternoon. Is there any difficulty in filling in the remainder of the

time? Say from 1.30 to 3 o'clock? A. There is some difficulty; in the winter they are turned into the play room and after Sunday school is over they play there all the rest of the time until supper time. In the summer time they are in the play ground during those hours playing baseball, lacrosse and cricket.

Q. Is not that very bad? A. It is.

Q. Does it not counteract the effect of the morning service? A. Yes, and it destroys the idea of the sanctity of the Sabbath.

Q. Do you know any way of remedying this practice? A. I have a suggestion, and it is this. Up-stairs there is a large reading room which is not used except in times of epidemic, diphtheria or fever, and then it is used as a hospital. It is commodious, capable of holding from 300 to 400 people, and it is seated. My suggestion is that these boys should be brought into the reading room, instead of being turned loose into the playground, and be supplied with reading matter.

The Chairman.

Q. That is exactly what this room was designed for; what it was built for? A. Yes, but it has never been used for that purpose.

Hon. Mr. Drury.

Q. You are decidedly of opinion that the present mode of spending a portion of the Sabbath day is bad? A. Yes. Its moral effect is bad. It undoes the religious instruction that we give on the Sabbath morning.

The Chairman.

Q. And you think that there is no necessity for filling up the time in that way? A. I see no necessity for it. They say that the boys require some relaxation to work off a portion of their animal vigor, and this is the easiest way of getting rid of it

Hon. Mr. Drury.

Q. Suppose these boys were in a Christian home, they would be spending their time pretty much in the way you suggest, in reading and conversation? A. Certainly. They would not be allowed under the law to play base ball and lacrosse.

The Chairman.

Q. Have they not the same opportunity for amusements on the week days as other children have? A. Quite as much.

Q. Are they overworked? A. Oh my! no. There is not enough work for them.

Q. I may explain the reason why this came into existence. Under the old cellular system the boys were locked up in their cells. It was held, and I think truly, that masturbation was generally practised in their cells on the Sabbath afternoon after the boys returned from dinner. When the cellular system was done away with the boys were allowed to read or do anything of that kind, but there was no provision for letting off the animal spirits as they call it. There is no doubt that there was some difficulty in deciding at the time what to do with the boys, as they had no place to put them: but there is no necessity for spending the Sunday afternoon in this way now, that they have got large rooms where they can go and have books to read? A. Then you see there are the Catholic boys. After 12 o'clock mass is over they go to play, and the Protestant boys cannot make out why they should not play since the Catholic boys do it; but every one of those boys knows that outside this institution he would not be allowed to spend his Sunday afternoon in this way.

Hon. Mr. Anglin.

Q. At the Michigan State Reform School at Lansing the superintendent told us that the hardest day they had was the Sunday, and they found it very difficult indeed to keep

the minds of the boys employed? A. Yes, no doubt it would be hard to keep them fully occupied in a proper way.

Hon. Mr. Drury.

Q. What would you think of a suggestion to give them an opportunity for a little physical exercise by having them marched for a certain length of time after the morning service, not allowing them to play, but simply marching them under the control of the guards; and then after dinner taking them into the large room and furnishing them with proper literature? A. I think that would be a very good suggestion indeed; I think that would supply all that was necessary, and the boys after this exercise would be more ready to spend the time in reading, for it would tire them to an extent. Of course you must not lose sight of the fact that you are not dealing with ordinary boys. The arrangement to give these morning exercises would be conducive to their health, and prepare them for sitting down quietly in the afternoon. There are some boys who do not read, but these will sit down quietly and listen to their neighbors reading.

The Chairman.

Q. Would you not go farther. Say that a guard takes out ten or fifteen boys for a walk round the country, would you have any objection as a clergyman to this? A. Certainly not. I think so far as the idea goes it is excellent; but there might be a fear on the part of the authorities that some person might skip out; and they might raise the objection that the guard would be engaged.

Q. But you think there would be no desecration of the Sabbath in filling up a portion of the day in that way? A. Certainly not; I quite approve of it.

Q. Penetanguishene is a considerable town now, and there must be some excellent readers amongst the population. Could you not get eligible persons to read to the boys from works of an interesting and instructive character in this large room? A. There are a number of young men in Penetanguishene who would be willing to give their services at work of this kind, and I think it would be a very good thing.

Q. To get into the boys confidence and to accustom yourself to deal with them takes a little time, and just when he has got at a point when he is really doing excellent service, the clergyman may be changed to another field altogether. Would it not be difficult for another man to take up his work? A. In some respects it would; but then again, the boys are constantly coming and going. My term is for three years; the Presbyterian is a settled pastor, and the Anglican is a settled pastor. We are in thorough harmony, and if I were to leave it would be an easy matter to select a man as my successor who would have the same ideas as myself with regard to the boys.

Hon. Mr. Anglin.

Q. Except on Sundays, you confine your instruction to your own denomination—to the boys belonging to your own church? A. Oh no, I can call in any boy; but largely I do confine my services during the week to boys belonging to my own denomination, because I am a little delicate in interfering with the others. I think this is only natural, and we do not as a matter of fact extend our operations on week days to boys who don't belong to us, but I would not hesitate to call in any boy if I considered that there was any real necessity for it.

Hon. Mr. Drury.

Q. Would it not be recognized by the church that your successor would have to be a man who would be really serviceable and naturally adapted to the work? A. Yes. I should make a strong representation to the authorities as to the qualifications that my successor ought to possess in order to engage in this work. I would represent that someone should be sent here as nearly like myself as possible. I have tried to get the visitors interested in the work. If we could get such men as Dr. Potts to wield their powerful

influence in getting a proper man appointed, I think there is very little doubt that it would be done. Of course this would be a matter for the stations committee to deal with and no doubt the facts would be placed before them in a proper light.

Q. Supposing you were the chaplain of the institution, do you think you could do better work than you are doing now in conjunction with Mr. Curry and Mr. Kingston? A. I do not; but I may say I am very much in favor of the present system; although Mr. Curry and Mr. Kingston are not greatly in favor of it. Through my being in favor of the system as it exists now there might be a danger of my speaking from a prejudiced point of view.

The CHAIRMAN.

Q. As to the Sunday school work, is it conducted by the clergy? A. No. It is conducted by a very efficient layman, who is a guard there, Mr. Jamieson, a man with whom the boys are thoroughly in love. He is a very efficient bible scholar, and a man who takes a great interest in teaching the boys, and the boys respect him very highly. He has the whole of the boys thoroughly under his control. I am of opinion that he is doing better work than many ministers could do. The point has been raised whether we could supply from the town teachers who are perhaps not at work in any of the Sabbath schools, whom we could select from all the churches; but we are limited to a great extent in anything of this kind and cannot introduce these except through instructions from the government, through the warden.

Q. Let me outline a system, and say whether its meets with your approval. Say that the three clergymen—the Anglican, the Presbyterian, and the Methodist—in weekly rotation conduct the Sunday services as now, during the week services of a religious character at stated times; that in addition each clergyman shall be the superintendent of his Sabbath school, and shall select capable teachers from his own congregation, to teach the boys of the denomination to which they respectively belong under the direction of each clergyman acting as superintendent. Don't you think that this would work satisfactorily? A. That would be my suggestion and you have my most hearty approval of the scheme. There you would have a system of instruction for the boys that you cannot get now, and as you do for your prisons and asylums here you would have the people outside interested in the work.

Q. And if you had carriages to go for the teachers and take them back would it not be better to have ladies in some cases to take up the work. Would it not have a humanizing effect upon the boys? A. It would indeed.

Hon. Mr. DRURY.

Q. They do not come in contact with women at all now do they? A. No, the only woman they come in contact with is the organist.

The CHAIRMAN.

Q. Would it be well to keep up the denominational aspect of the Sunday school work? A. I think it would.

Q. As regards the general services they would be of an undenominational character? A. Oh, yes; I may say we have no difficulty whatever with regard to denominational matters. The boys are taught the bible in a general way apart from theological differences altogether.

Q. I am afraid that if you taught the Baptists certain ideas of the Presbyterian faith there would be a row? A. Well, we have no Baptists there. We have only some three or four at the outside. I might just say here that I don't think the present system has had a fair trial, because in these respects we have been handicapped and have not been able to develop the plans that ought to be developed. I hope that we will be able to develop them in course of time. The inspector stated to us when we undertook this work that we should go on as we have been going on conducting the Sabbath services and go

on with the morning and evening prayers and he said, "When I return to the city I will make out my returns and you will receive notice of the work and instructions as to how it is to be carried out." To this day we have never received a scrap of instructions. We have just been going ahead conscientiously and performing the duties that were incumbent upon us.

Hon. Mr. Drury.

Q. If the present system is continued would you formulate a scheme, submit it to the warden and get the warden to forward it to the authorities? A. I think that would be all right. The probabilities are that the inspector would do anything in the way that might be suggested. The matter may be simply neglected.

Hon. Mr. Anglin.

Q The inspector might imagine that there are difficulties in the way of such a scheme as you have suggested that do not exist? A. He may. At all events I think it ought to be submitted to him. Amongst the difficulties that we encountered at the outset of our task was the fact that we had no access to the library. The warden I think was very likely waiting until instructions should come. I do not want to put a particle of blame on the warden or any of his staff; but there was a great deal of inconvenience through our not being able to get at the books. Mr. Curry offered to go to the deputy to see what was the matter and under whose orders the library at this time was locked up. The boys were without reading matter for a period of three or four months I should think. It is only within the last two or three months that we have been able to get at the library.

Q. Would you say that introducing the outside public, young men and women, would be a means of placing the public in sympathy with the institution, instead of having it set apart as it is now as a place with which they have nothing in common? A. I would.

Hon. Mr. Anglin.

Q. Would outside teachers be able to do something more than is done at present in the way of providing places for the boys when discharged? A. There ought to be an organisation of some kind for this purpose. The boys when they get out return to their old haunts. They go back to the places they came from, fall into their old companionship, drift into their old ways and thus they appear again and again before the courts, and in too many cases find their way to the Central Prison and the Kingston penitentiary. One of the greatest difficulties is keeping a boy right when he leaves us; we have no guarantee that he will profit by the lessons he has been taught. Many of them when they leave the reformatory, have nowhere to go.

The Chairman.

Q. Do you think if the clergymen and teachers formed a committee whose functions would be to take this up in conjunction with the other matters and to put themselves in correspondence with people outside—that their efforts would have a good effect? A. I think that might be tried. It might be worked very nicely. I think it could be and ought to be worked satisfactorily. I would be very glad to do all I could to interest those outside in the boys, and to do the best I could in the way of finding places.

Hon. Mr. Drury.

Q. Don't you think that we might have a committee appointed or organized for the purpose of selecting the boys to be sent out to different parts. If it were known that such a committee were in existence, people might correspond with them with reference to boys? A. Yes, I agree with all that has been suggested. There is a boy now who will soon leave us. His term at the institution shortly expires. He is my library boy. He said to me recently, "My time will be up in about six weeks." I said to him, "Where are you going" and he replied, "I have no place to go to." He is a good boy. He is caretaker of the chapel. He is intelligent, and is of great assistance in the library. He is the boy who succeeded in discovering the mutiny that took place in the cells.

He cut himself loose from the boys and ran to the deputy and told him that there was trouble in the cells ; that they had a guard down and were strapping him. This boy is really a well-behaved lad, and something ought to be done for him. It would be a pity if some plan of this kind were not adopted. I may just tell you an incident ; it will show you how boys regard their life here. A boy took a book from the library, and he wrote on a slip of paper that I found—a little note at the back of the book—these words : "One year and six months and then hurrah for the World's Fair at Chicago." You can readily imagine what a boy dropping into a place of that kind under such circumstances would be likely to do.

Q. Are the boys trained in such a way as to enable them to realize thoroughly what honest work outside means? A. I think not. The labor aspect of the work is not satisfactory. It is just enough to keep them busy, but there is no attempt made to insist upon a stipulated task. The boys make the clothes of the institution, make all the shirts, and attend to the laundry work ; but this is as far as they go. It is not enough in my opinion. They cannot when they go out feel independent enough in virtue of what they have learned here, to ask for a situation along the lines that they have been working upon.

Q. Say a boy of 15 years of age goes into the reformatory. He is kept there for two or three years, do you think that after that time you would be able to say that this boy would be qualified for work on a farm, or is the training there likely to lead to a misconception of the work that would be required outside? A. I am afraid it is. I am fraid from the way the trades are taught that the boys would be seriously handicapped if they went into situations on the strength of what they have learned there. The idea of tailoring, and that is the most thoroughly taught of any branch of labor in the institution, is that a boy should be able to make a suit of clothes for himself by the time he leaves there.

Q. The moment a farmer began to insist that a boy must be more lively and more active would there not arise in the boy's mind a feeling against this tyrant who was exacting more from him than was exacted from him in the reformatory? A. I am afraid that would be the result of it. The idea ought to be, if you give a boy a trade, to make him a first-class tradesman, and if you want to make him a farmer make him a first-class one.

Q. Do you think that the teaching on the farm now is of a very effective character? A. There are very few boys, not more than four or five, who do farm work under the guard. They draw wood of course, and plow and harrow in the summer months. You see a small percentage of the boys employed in this way, but they cannot be said to be taught farming in any sense whatever.

Q. They are taught to be very inferior mechanics? A. They are. Take for instance, the carpentering trade ; the carpenter is there, and he is master of the position. He does all the skilled work himself, and the boys are not taught how to use the plane and chisel, and mallet and square, and do a piece of ordinary work even. The carpenter does everything himself. He marks the boards, cuts out the work, and fixes up whatever is required. The boys are simply taught to be attendants upon him and to hand his tools to him. The most difficult piece of carpentering work that they do is to patch up any portion of the institution that requires it. This is not teaching them a trade. There is nothing done to call out the latent power that you want to develop in the boys in the trade that they are selected for. I think the most thorough teaching is given in the tailoring trade. Some of the boys become quite efficient there after being three or four years at the work.

Q. You have seen a good many boys discharged during the time you have been connected with the reformatory. Do you think that they leave the institution better boys than when they go into it? A. Certainly, some of them do. And then we are led to fear that some of them do not. You see a great trouble in connection with the institution is that the reprieve is not granted in a proper way to make it of any advantage to the boys. It is operated entirely from the outside, through the instrumentality of the boys' parents.

Q. Do the boys understand all this themselves? A. Oh, yes, thoroughly. A little fellow will come to me and say, "Will you kindly write to my uncle and ask him to get

up a petition for me." Some of the very worst young fellows in the reformatory are released in this way ; boys who are brought in for rape, for manslaughter, burglary, horse-stealing, and so on. There are inducements held out from some quarters for these boys, that if they keep quiet and are tolerably good fellows they will get out before their time expires. These fellows of course behave themselves reasonably well, and in some cases the reprieve will come after the youth has served a year and six months out of five.

Q. What is the effect of this upon the other boys? A. It is bad altogether. Another boy says, "I am a better boy by all odds than that boy." It seems that if I kick up a row and make trouble here I can get out even sooner than I could by behaving myself.

The CHAIRMAN.

Q Don't you think, from your observation of reformatory life, that if a boy leaves the reformatory without being improved he must of necessity have retrograded? A. I do. There is no middle place. A boy while he is there must be either going forward or going back. I think under the herding system that goes on there a great deal of harm is done to the smaller boys. Here is a little boy say from eight to nine years of age who is committed under the law of vagrancy. He is a comparatively innocent little fellow. He is placed with other boys very much older and more experienced in crime than himself and they set to work to teach him all they know. A little leaven leaveneth the whole.

Q. When you say herding together, are you opposed to the associate system of dormitories? A. No, I am not opposed to those, but there ought to be some classification, according to age.

Q. Do you approve of cottages? A. If we could reach that, I do. I would have separate homes if possible. Proper classification in one huge institution is of necessity hard to obtain.

Q How would you classify them? A. I would take boys from eight to ten and select them according to their crimes, and then have another selection of boys from ten to twelve, another from fourteen to sixteen, and another from sixteen to twenty ; I would have those selected and if possible kept by themselves.

Hon. Mr. DRURY.

Q. What would you think of establishing industrial schools under the government direction, and reserving the reformatory for those who have been convicted for serious crimes? A. I think it would be a great advantage to have an industrial school system. It would be immensely better than the way things are now. There is no use mincing the matter ; we labor at a great disadvantage in every way ; from an educational stand point, and from a moral and religious standpoint. For instance, I have half-a-dozen boys who come to me and say, "We would like to have a little prayer meeting by ourselves." I cannot give them that. They are associated with the rest of the boys and they cannot be separated, and it is against all the law and order of the institution to make an inroad in this way into established precedent. I have been trying to bring into operation a system with a view to enabling the guards to become thoroughly acquainted with the boys. I have my list of boys who are under a particular guard and I get him to give me an exact account of the behavior of the boys and I make note of it ; and the next time I come I have a private consultation with the boy, and I ask him if he has been doing anything wrong, how is it you have done this ; you know you have been doing wrong" or on the other hand, if the report is favourable, I say to him, "I am glad I have got a good report from the guard to-day about you." We do our best to take any steps we can to encourage the boys to do well. The boys will sometimes have excuses : For instance, I would reproach one for having been swearing, and he would say, "I got mad and I swore, so and so." Perhaps an oath you would not expect to come out of a boy and he would confess it and I would advise him to try to subdue this tendency. We have got to make large allowance for them, but their truthfulness in many cases is beyond question.

Q. Do you think that the association of the bad with the good has an evil effect? A. Yes, it is the greatest evil we have existing there. I think the mixing up of the bad with the good is a great mistake.

Q. Do you think they regard this place as a prison, or do they look upon it as an establishment that exists for the purpose of making them better boys? A. If you put the question point blank to the boys, "Do you like to be here," they will tell you "No" every time, and yet there are boys there who are infinitely better off than if they were in their own home life; still they would prefer going away from the institution. Everything there is kept in the best order, the most perfect cleanliness is maintained, everything is comfortable, and everything nice. To use a common expression, you could almost take your dinner off the floor. Then there are regular hours, and the boys are healthy. There is only one case of sickness there to-day, and it is really surprising how perfectly free from sickness they always are. They have regular habits, and they are infinitely better off than they would be outside.

The CHAIRMAN.

Q. What percentage of the boys in the Reformatory do you think ought to be in industrial schools? A. I should say nearly one-half, having regard both to age and offences.

Q. Would you only make the reformatory the last resort? A. I think so. My observation is that the magistrates have very great reluctance in committing the boys to the reformatory.

Q. Do you represent the other Protestant clergyman at Penetanguishene? A. Yes, I speak here for Mr. Curry and Mr. Kingston.

Dr. ROSEBRUGH.

Q. Some believe that reformation would be far more likely to take place if there were absolute separation of the Catholics and Protestants. Have you given this matter any thought? A. Yes, we have had this difficulty to meet constantly in connection with our work, and especially on the Sabbath day. It would be a very great advantage if we could have them separate altogether. It would be a good thing if there could be such a thing as two separate establishments, because you can easily see that the Protestant idea of Sabbath desecration and the Roman Catholic idea are widely different. It would to my mind be a great advantage if a division could be made in some way.

Q. Do you believe that the religious differences are carried to this extent, that if a Protestant boy was making an effort to turn over a new leaf and to do better that effort would be thwarted by association with a Catholic boy? A. There is that danger; and then of course the other side obtains as well. A Protestant might ridicule the forms of the Catholic religion, and of course this would be very offensive to the Catholic boys. Again, some Protestant boys, for instance, don't scruple to laugh at the confessional.

Hon. Mr. DRURY.

Q. You have a little confessional of your own? A. Oh, yes, we must keep even with them.

Dr. ROSEBRUGH.

Q. I suppose you believe that in a reformatory every person connected with the institution, whether as superintendent, guard, or instructor, should be in full sympathy with the work of the reformatory. Do you believe that this is the case with Penetanguishene reformatory? A. I think as a general thing it is. I think there is a very efficient staff there, and they have the reformation of the boys at heart, but the difficulty comes in in this way: The guards are apt, and do in fact, try to stand in well with the boys, and by doing so they have less trouble with them. If a guard has much trouble with the boys, his dismissal would take place. The authorities would regard him as a man who cannot get on with the boys, and consequently a guard is apt to be lenient in a

certain direction for the purpose of gaining the confidence of the boys and keeping himself in touch with them. I will mention just here that chewing tobacco is a very bad habit at the reformatory and very general. How the boys get tobacco is a mystery. I succeeded in getting out of one of the boys where they got it. This lad when questioned said, "Well, the guards gave it to us." This was one case, and there were others in which the guards were apt to buy the confidence of the boys, and it is no uncommon thing to find them chewing tobacco in all directions. It obtains more amongst the Catholic boys than the other boys.

Dr. ROSEBRUGH.

Q. Have you any farther recommendations to make to the Commission? A. I think not, I have spoken of the Sabbath school, of the advisableness of employing the boys in reading on the Sunday instead of in the playground, and I would like to emphasize that I would be glad if attention were directed to it, so that we might get rid of this terrible difficulty on the Sunday afternoon.

Hon. Mr. DRURY.

Q. Would you have any objection to formulating your ideas in a general way and submitting them to the other two Protestant chaplains, so that they would have their concurrence, more especially those relating to Sunday school duties, and to the mode of spending the Sunday. We would thus know that these were concurred in by the other chaplains? A. When I go back I will talk the matter over with them and do this.

JAMES MASSIE, Warden of the Central Prison, re-called.

Hon. Mr. DRURY.

Q. The Commission understand that during your recent visit to Great Britain you made extensive observations in regard to the present system of dealing with prisoners there. Would you describe it? A. I had seen, year after year, statements to the effect that crime was rapidly decreasing in England, and I wanted to satisfy myself whether it was the system of prison management that was to be credited with this decrease or the means adopted for preventing the criminal ranks being constantly recruited. The diminution of crime between 1878 and the last returns issued in 1890 was from 32,000 in England and Wales to 20,000, or just about one-third.

Hon. Mr. ANGLIN.

Q. What do the words convicts and prisoners in the English official returns mean? A. The convicts are those under sentence of penal servitude from two years and upwards. They make it, as I learn from them, a sort of sliding scale. Formerly it was five years, but some time since they included men for two years and upwards as convicts. Since the English government took over the management of the prisons they have changed the principle of these things, and a man would be as much a convict now sentenced for two years as he would if he were sentenced for ten. When I reached Liverpool I commenced work. I never saw a lower stratum of society throughout England and Scotland than I saw in Liverpool. I saw more filth, unwashed women, unwashed children in the lower streets of Liverpool than I saw anywhere I went. The amount of filth and poverty was quite appalling. I concluded from what I saw in Liverpool that the number of children left wandering about the streets was enormous, and that there was amongst the poorer classes a very large amount of destitution and a very large amount of neglect of the young. The little things were on the streets at all hours of the day and night. I went from Liverpool to London and immediately put myself in communication with Sir Charles Tupper, with the Home Secretary, and the commissioners of the London police force, and the superintendent of the detective department, and I gathered from them a considerable

amount of information. I then visited first of all Mrs. Meredith's missions—the Nine Elms Mission—for women who were rescued at the prison gates. I learned from Mrs. Meredith that the number of women reclaimed, who had once fallen into crime, was very small. Everything was being done that could be done, but still the result was not very great. On the following day I visited the home for orphan children. They had a number of homes each containing about ten children in the charge of a mother. These places are just as like homes as it is possible to make them. Everything is clean and very comfortable; plain so far as the dietary is concerned, but with sufficient ornamentation about them to make the children feel that they are homes for them. These children were all girls. They are picked up from the courts or wherever they are found wandering about uncared for. When a child is brought by the police into the court the magistrate asks if anyone will take care of the child, and Mrs. Meredith's agent volunteers to take it. The agent makes enquiry, traces the source from whence the child came, gets from it the place of its birth, and learns something of its history; and if it is thought better upon enquiry that the child should be kept away from its associations they keep it. If the parents, on the other hand, are people who are capable of taking care of the child it may be restored to them. They keep girls in these homes until they reach the age of fourteen years, and they teach them housekeeping, cooking, knitting, sewing and so on, and then find them situations. They correspond with them as long as possible afterwards. Mrs. Meredith's assistant at this institution told me that they kept a very close record of them, and that they knew that a great many of them were fairly settled in life and doing well; a great many of them were rescued. Of course, these homes were only one of many similar systems in England. They are supported by private subscription and by grants from the government. I went to Edinburgh after this, and I came in contact with Mr. Henderson, superintendent of police in that city. He confirmed the statement that crime was rapidly decreasing, and he thought that this was largely, if not wholly, owing to the fact that they enforced the school regulations there. They have no truants. In addition to this, great attention is paid to the children of the poor. A whole army of philanthropists and missionaries visit their homes and make provision for them. I asked him if there was in the lower strata of society now the brutality that we used to associate with it twenty or twenty-five years ago, and he told me that there was a great improvement in this respect; that there was nothing like the same amount of it now as there was at the time I referred to; that the tone of the people was improved; that in former years it was quite a venture to go through some parts of Edinburgh—the Canongate and the Cowgate, for instance—but this is not the case now. At all hours I saw people, some the worse for liquor and others not, in these lower streets, and I mingled with them, but they never interfered with me. I conversed with mechanics and got a great deal of information about their private life. I found them ready to respond to the application I made to them for information. I asked a mechanic why so many visited tap-rooms on Saturday and other evenings. His explanation to me was this: "You know I work hard all day and when I go home in the evening my wife don't care to read, and I can't read very much. If I sit down to read I fall asleep, and if I go out and spend the evening in one of these rooms I can hear the news. The rooms are well lighted and comfortable, and with a pint of beer or a glass of whiskey my wife and I can pass a very comfortable evening. There is a deal of talking going on, and we just stay there to hear the news until time to go home to bed." I said to him, "You require physical employment, and you require sleep, but you also need something else." He said, "Yes, these don't fill up the sum of life, I want something more. My wife goes with me and takes the child along." I found many thousands spent their evenings in the tap-room and did not become drunkards, but it is from this class that the drunkards come. Then when they become drunkards they neglect their children, and from that the step downward to crime is not a long one. I visited the school for girls in Edinburgh, a very nice institution, where they teach girls housekeeping and educate them; but I am sorry to say that the report was not favorable. One of the ladies in charge admitted that very many of the girls fall into bad ways after they are placed out in situations, and that although they get nice places for them many go wrong. The children in this institution are committed as criminals.

Dr. Rosebrugh.

Q. Would you suppose 50 per cent. went wrong? A. Oh no, not so many as that. I should think from what she said there might be from ten to twenty per cent. I then went to Glasgow and visited the industrial schools and prisons in that city. They are well kept and very clean. The same system prevailed there as in England and other parts of Scotland. There is no mingling together, no association of prisoners, no opportunity for conversation under any circumstances, except in the case of the few who are employed in the kitchen or bakery, and there may be some employed in the boot shop who talk quietly together. The prisoners, when they take exercise, walk in a circle, and there is no opportunity for conversation. The prisons are surrounded by a high wall, and the cell looks inside the prison. The corridors are in the centre and the cells run alongside the walls, looking outward, so that they have always plenty of daylight through the windows. The wall forms the back of the cell, and the window is high up with heavy corrugated glass in it. The windows of the cells are not opened. They secure thorough ventilation without opening the windows. The system of ventilation I may say is most perfect. There are two inlets to every cell and two outlets. Through these the fresh air is admitted and the foul air thrown out.

Q. What work was going on there? A. I found, in many of the cells where they were working, that the men were occupied at cocoa fibre and teasing hair; but I found nothing there of the fœtid atmosphere that you find in some cells where the men are confined for a lengthened period. By permission of the governors I went through several of the prisons, but could not converse with the prisoners. I sometimes trespassed a little upon that rule when I wanted to know a little of the convict's life.

Q. How are the arrangements as regards water-closets? A. Attached to every cell is a bell, and when a man rings this bell he communicates with the warder who unlocks the door of his cell, and the distance the man has to go depends upon the length of the cell block. There may be six or eight closets in every block of cells, but they are all within easy access of all the prisoners. When a man goes out to the closet he sees nobody and is locked in again. The convict never gives the warder unnecessary trouble because the warder knows who rings each bell and of course it would be the worse for the prisoner if he rang it when there was no need.

Q. How are the baths? A. The baths are in the same tier, sometimes at the end and sometimes in the centre of the cell block. The prisoners go to them singly, the isolation is completely studied and thoroughly carried out.

Q. You are speaking now of the local prisons? A. Yes. They correspond with our county gaols, but they are used very largely for prisoners who are sentenced for such terms as men are sentenced to in the Central Prison. They are three or four storeys high. The doors of the cells are close and they get light from the other side. I found in many of them the corridors were from twelve to eighteen feet in width, with balconies projecting and a space between the balconies was covered over with wire netting. This did not interfere with the view in any way, neither did it stop the ventilation. I visited the penitentiary at Perth. They are removing the convicts now from Perth to Peterhead, where they keep them employed at quarrying the granite. There were only about 300 men there instead of 800 or 900 The only thing that they do now is to make fenders for ships of cocoa fibre, with the exception of making large sacks for grain and wool; but this will be stopped now because they are getting these made in India, where the jute grows. There was nothing special to learn at the penitentiaries They were not so interesting and they were all alike. The system of isolation prevails in all grades of prisons. The convicts undergo in the first instance nine months seclusion; and if they gain so many marks they are removed all the sooner. In some of those associate prisons, such as the penal establishments, at Peterhead and Portsmouth, the convicts are allowed to come in contact with each other. They all want to get away from this solitary confinement as soon as possible to the larger convict establishments. Solitary confinement seems to be a great deterrent. As to the moral effects of this nine months' seclusion Lieutenant

Colonel Campbell, who is a very good authority in the matter and a very strict disciplinarian, seems to think that the men do not get worse morally. They get a little better in his opinion; but I gathered from what he said to me that there was no great work of reformation accomplished amongst them. I supposed that it was not the deterrent influences of the prison that was accomplishing the great work in England and Scotland; but solitary confinement was the means of keeping men from crime. They have some effect certainly, and the better care of the young is a very important factor in the decrease of criminality.

Hon. Mr. Drury.

Q. Would it come to this, that the work of reformation can be effectively carried out with juveniles, but so far as adults are concerned the application of prison discipline is deterrent rather that a reformatory influence? A. Yes. They fear solitary confinement. This kind of life in prison is what they dread. I do not think that upon the whole the reclamation of the prisoners is looked for so much as giving them a wholesome fear of what the consequences of their crime will be. I spoke with the chief warders, with the ordinary warders, and with the prisoners themselves, and I concluded that it was the deterrent influences of the prison upon the convict, and the great care taken to prevent the young from falling into criminal ranks, that caused the great falling off in the criminal ranks—the decrease of crime in England and Scotland. At Aberdeen I spent some time with the Procurator Fiscal, and with several of the bailies. I visited the gaol, the poorhouse, the industrial school, and the Old Mill Reformatory. I went to St. Nicholas poorhouse, and I found in that a number of the milder class of lunatics—persons who were not bad enough to be sent to a lunatic asylum. I found also a number of boys and girls who were to be tried for offences, and who, instead of being sent to the gaol, were sent to the poorhouse. Little girls were put in with aged paupers and the boys were put in also with the aged male paupers. There was nothing bad about the surroundings, and I thought it a great deal better to deal with the poor people in this way than to have them in the gaols as we have. Then I visited the old prison, one of the oldest in Scotland. It is remarkably well kept, very clean, and I had an opportunity of conversing with the prisoners there. They invariably told me that it was the last time they would be found in an establishment of that kind; that when their time expired they were not coming back again. I met a number of very intelligent men in all the prisons and many of them told me they were driven there through force of circumstances. I went back to Edinburgh and visited the industrial school there, originally Dr. Guthrie's ragged school. I met a number of bright looking boys and girls in nice clothes coming along the road. They were from the institution—were going to see their friends or relations. I must have passed forty or fifty of them going along in twos and threes. I went over the institution with Mr. Henderson, the superintendent. All was perfection so far as cleanliness went, and they are doing excellent work there. I learned from him that nearly all his boys were apprenticed to mercantile houses in the city of Edinburgh and Leith. They went to shipping, some of them into the merchant marine and into the navy. There is a great difficulty in getting them into the navy now. A large number of the boys enlist into the army. The life bands go all over the country and the boys are greatly attracted by the music. They have an excellent calisthenic class at this institution. The effect of these exercises upon the boys is splendid. They develop their muscles and give them a better carriage and bearing. Wherever there is of latent good in the boys these exercises help to bring out and fit them to take a high level at the time they leave the institution to enter the army, the merchant marine, or to engage in the mercantile institutions of the country.

Q. What industries do they follow there? A. Tailoring, shoemaking, carpentering, gardening. The boys have a good education. They bring them up to the fifth and sixth standard.

Q. Do you know what instruction they have in morals and religion? A. At this institution in Edinburgh they are Protestant boys, but there is a Roman Catholic institution for boys there, too; it is quite a distance from the city, however, and I did not

visit it. Mr. Henderson said they found themselves able to accomplish better work by having these Protestant boys under Protestant teachers and the Catholic boys under Catholic teachers. There was no conflict of authority. Both parties preferred the separation. I met several prominent gentlemen of the Roman Catholic persuasion there and they all told me they preferred this. After leaving Edinburgh I went back to London, and I went out first of all to visit the homes at Swanlea and Farmingham, with Mr. Clark, Secretary of the Institution at Farmingham. I found the home an excellent establishment under splendid supervision. After dinner the boys were congregated in the gymnasium, a very large building. They have a band there and a large number of the smaller boys sang to us to give us an idea of the attention bestowed to this branch of culture. Some of the boys afterwards went through calisthenic exercises. The Farmingham boys are such as are picked up in the courts. An agent of the homes attends the courts in London, and when a boy is brought before a magistrate he asks if any one will take charge of him, and the agent of the homes at once says he will do so. They keep these boys as we keep ours at the Reformatory. They are cared for there until they reach the age of sixteen years, and then are apprenticed out in m rcantile houses in England. Each boy when he leaves the institution gets an outfit. At Swanlea the arrangements are the same, but the boys at Swanlea have parents or relatives who pay twenty pounds a year for them in order that they may be properly trained and educated. Of course there are none of the criminal class there. I should say that at Farmingham they were very beautiful boys—240 or 250 lads with bright faces and smart appearance ; and yet Mr. Clark assures me that they are taken from the lower strata of London society. The system of treatment there completely transforms them. Mr. Clark said that only a very small number of the boys went wrong.

Q. Are many of the boys put on farms? A. A few, but not very many. After leaving these establishments I visited the homes for discharged prisoners, and poorhouses. One of these homes is specially under the care of Mr. Wheatley, who is a great success in dealing with boys and men. They take prisoners into these homes and find them employment until they can get steady employment elsewhere. Their diet is very plain, and their work shops are plain, and cheaply provided for in every way ; but still sufficient for the purpose in view. These lads are found employment outside in the day time, but they have to go back to the home every night and sleep there. They give up their earnings to the institution, and if their earnings are more than sufficient for their maintenance the surplus is kept for them until they leave the institution altogether.

Q. What do you call the institution? A. St. Giles' Mission Home. Then I visited Newgate Prison ; but there are no occupants in Newgate now. They have changed it internally but they preserve still one of the old vaults where they used to put the prisoners down underground ; the place is just like a vault, and it shews the kind of prison life they had in the old times. I next visited Holloway Prison, a very large establishment and very beautiful, and it is kept very clean. There is no industrial work carried on there different from the others. Fender-making, mat-making, tailoring, shoe-making and cooking were the principal employments. On the same day I visited Pentonville, a convict prison and saw the tread-mill in operation. Pentonville is a very beautiful prison. There were 700 inmates when I was there. I went through a few of the cells.

Q. What is the size of the cells? A. 700 cubic feet space is allowed for each. They are about twelve feet deep, about eight feet in width, and quite high.

Q. How many men had they on the mill? A. Ninety men. They walk fifteen minutes and rest five. It is most laborious work. Each man stands in a box and has no opportunity of speaking to the man beside him. The old convicts know how to take it easy. They were all perspiring terribly when I saw them. They grind their own wheat in this way. They give them bread there made of wheat flour mixed with bran. It makes a good healthy food but our fellows would not take it. The majority of the prisoners are isolated but some were associated and had opportunity for conversation with each other. These were in the associate room, tailors, shoe-makers, mat-makers, and so on. The warden said that these men had all good conduct marks, and that thorough order pre-

vailed amongt them. There was very little conversation going on. The dietary is exceedingly plain. The dinner consisted of very, very thin soup and this bread I have spoken of.

Hon. Mr. ANGLIN.

Q. Under the Crofton system the men for the first three months were kept on the verge of starvation ; if they behaved themselves the diet was improved in the next three months, and after the third three months they got full prison fare For the first three months they got the most distasteful kind of work, and this seems to be the idea at Pentonville ? A. I think that you can find no substitute for the tread-mill. Nothing that I could conceive is so severe as the tread-mill.

Q. Did you regard the diet as sufficient ? A. They told me it was sufficient, but it was even at the best a very light diet indeed. They baked just a little bit of a loaf for their dinner like a penny roll, not much more. Their dietary is not much more than half of ours. After visiting Pentonville I went to the Holborn Union Workhouse. There they have a Board of Commissioners who visit what is called the Union one week, and what is called the workhouse part of the Union every second week. This Board meets once every week. There is not much for them to do, but there is a capital opportunity for their having a day's outing, and they have a good time. In the Union part of the building I found a great many children of all ages from infancy. A very lax and loose system I found prevailing. Parents might leave their children there ; little boys and big girls were all running about ; and I saw more evidences there of unclean immoral life of the parents than I saw anywhere else. In speaking with the superintendent and the teachers I found that they could accomplish a great deal more if the law were such that they could keep a child so many years, but the child could be taken out at any moment. Matters seemed to be very mixed up in that way in England.

Dr. ROSEBRUGH.

Q. What part of London does this refer to ? A. The vestry district of Holborn. The vestry seems to control that part ; they have a great deal of power over the water, gas, sewage, and so on. Then I went out of the Union part of the establishment to what they called the workhouse and I found that very well managed, kept very clean, under the supervision of a lady who was admirably adapted for her position as matron. They did a large amount of laundry work, and a good deal of dressmaking was carried on by the women. I found in the workhouse a great many young and middle aged men who ought to be working, and I asked them why they were not in some profitable employment. Invariably the answer was that it was impossible to get work. There are ten laboring men in London for one who is wanted, and so there is only a living for one man to be divided amongst ten. They let them go just as they please ; chopping a little wood, and doing odd jobs while they are there. At this institution there would be in the neighborhood of 600 men, women and children.

Hon. Mr. ANGLIN.

Q. Before going away from this I would like to ask if you saw anything of the truant schools, or of the day industrial schools there ? A. I did not visit any of these. The truth is that I got tired out and became satiated with these establishments.

Hon. Mr. DRURY.

Q. So far as you could see there appeared to be general satisfaction as regards the manner in which the gaols are worked now ? A. Oh, yes. Not only the governors, but all the warders, appeared to be much pleased with the present system. I was about to say that I wanted to see London life, so I went down into some of the lowest parts in the great city. I put myself in conversation with some of the most wretched specimens of humanity, and as in the workhouse and in the gaols, I found there that the worst specimens of the human race were the victims of intemperance. Intemperance has a great deal to do with the vast volume of destitution in London. There are of course other things that have to be taken into account. Wherever one man is really needed you will

find ten, and one can hardly help being impressed with the idea that criminality follows this state of overcrowding and poverty. This is not of course true to the extent now that it used to be, because there are so many of these people who are well looked after. There are so many poorhouses for the destitute. There are so many missionaries of all religious denominations working amongst the people, and the majority of them are cared for in some way or other. Mr. Anderson, the Superintendent of the Detective force in London, said to me, "You would be surprised how few there are who are not visited by missionaries and who are not cared for in some way or other," and the effect of the attention and visitation is the constant lifting up of the lowest strata.

Q. Does this not create a spirit of dependence upon these agencies? A. It does with some, but not to the extent that you would suppose.

Q. Do they seem to care to do any work? A. Oh, yes; if they could get it.

Dr. ROSEBRUGH.

Q You believe that children are well looked after now? A. Yes, I do; and this very fact of looking after children, bringing them before the courts for trivial offences in order to take charge of them afterwards, makes the number of arrests and convictions much larger than they otherwise would be. A few years ago there were no convictions for truancy, but now the number is very great.

Q Do you think that the cellular system has been effective in reducing crime? A. Yes. It is claimed, as I have already said, that the cellular system has a great deal to do with the decrease of criminality since 1878.

The CHAIRMAN.

Q Take a local prison with a couple of hundred prisoners in it, how are the inmates exercised and aired? A. They have a square; in a spot in the centre of it an officer takes a place, and then there are walks laid out for the men six feet apart. They are about two paces apart one way, and at least six feet apart the other way. The men are called out by number, and they always keep them in such a position that there is no possibility of association. They are not allowed to converse at all, although they are in the same yard.

Q How is it in respect to those at work in the domestic departments? A. There is a certain amount of association there. On asking this question of the Chief Warder at Pentonville I found that only selected prisoners were allowed there.

Q. What has been the effect of cellular confinement for long periods on the men mentally? A. Most of the warders told me it never resulted in insanity or anything of that kind. I may say that I enquired as to the extent of secret vice in the institutions there and I was very pleased to learn that there was very little of it indeed. I enquired both at the institutions for boys and the girls' schools as well. Knowing that we have such an amount of secret vice which is destructive both physically and mentally to men and boys, I gave special attention to this, and found that in England and Scotland it was scarcely known amongst them. They have been able there to keep this thoroughly down.

Q. What is the system of inspection there? A. There is a board of Commissioners who visit the prisons, and everything is submitted to this board.

Q. Is this a local or Government board? A. There is a board for Scotland and one for England and one for Ireland; and there are special visitors under the boards in connection with the reformatory schools. I know, because I went down to the training ship Cornwall with one of them. I think the court of quarter sessions in each county appoints a committee of their own body to visit the prisons. These magistrates are visitors *ex-officio*, and they record their opinions in the visitors' books.

Dr. ROSEBRUGH.

Q. Some believe that there would be an improvement in the system in Ontario if, instead of having one or two, or more inspectors, there were an advisory board of commis-

sioners appointed, who would have jurisdiction over all the prisons ; and state institutions of that character. The board to be somewhat analagous to what they have in the State of Ohio ; to be appointed by the Government for five years ; to consist of men specially selected for their fitness for the position, and entirely non-political. What do you think of this? A. I found that they had a board of commissioners in many of the states over the border and in England, and these commissioners invariably look after their work very closely and do it very well. There was a unanimous expression of satisfaction with the system under which the work was done in Great Britain. All the people who had given attention to penology that I spoke to were unanimous in speaking of it in terms of the highest commendation. As to our own prisons we have always been under very good inspection here, but I do not know that it would be detrimental to the working of the institution if there were a board of commissioners to advise upon matters affecting the management. Many things that a board might be able to accomplish cannot be done now. It might be an advantage to the Government and an advantage to the institution if there were a board of commissioners. Not that I am finding fault with the present system, because it has worked remarkably well ; but there would be an advisory board who would be able to consult with each other, instead of having things left to one individual as now.

Q Don't you think that if there had been an advisory board appointed ten years ago there would have been no necessity for this Commission? A. I do. I quite agree with you. A good working board of commissioners would have taken hold of the matter. You could not expect one inspector to be able to look after all the institutions so thoroughly as a board would do He could not really do the work in the same manner as a board of commissioners would do it, that is, a board consisting of men free from political bias, and not trammelled by hindrances of that kind. I should anticipate from the appointment of such a board good results.

Hon. Mr. Drury.

Q. Are you speaking now of a general board of commissioners or of a local advisory board for the Reformatory at Penetanguishene and other establishments? A. I would say if you are going to appoint a board of commissioners, one board should take the oversight of all the institutions of the Province. You will get them more effectively managed. You will get a more complete system. The board should have jurisdiction over the Reformatory, the Central Prison, the gaols, and industrial schools, if they are to be established by the Government.

Dr. Rosebrugh.

Q. Would you include lunatic asylums? A. No : they are under a different system. There is no need whatever of a board of commissioners for them. The institutions are entirely different and have to be conducted on different principles. You have to work on general principles in dealing with pauperism and crime, and you have also to accomplish, if you possibly can, the reformation of the individual. I know that if the indeterminate sentence system were to be adopted at the Central Prison, I would not like to see one inspector undertake the responsibility of carrying out the parole principle. There ought to be some properly constituted, fully qualified body to deal with that. If the indeterminate sentence were introduced, the board of commissioners would be a necessity, and if they are to have great powers imposed upon them they would change to a very large extent the present system of management. You would then require to have a superior class of government officers in all the institutions, men who would not be eye servants, but who would be thoroughly efficient and who would faithfully discharge their duties all the way through.

Q. You are in favour of the cellular system? A. I am decidedly in favour of it : judging from what I saw in England, I am strongly impressed in its favour.

Q. Would you also be in favour of cells for the separate confinement of prisoners in the Central Prison? A. Yes, we get a percentage of men there who are not fit to be associated with other men at all. Their influence is bad upon the discipline, but they

would be all right if they were kept by themselves. I know that I could accomplish a great deal more if I had cells into which I could put these men, giving them employment and keeping them entirely away from association with others.

Q. How many such cells would you recommend in order to introduce the system there? A. I should recommend the erection of about fifty cells.

Q. In a building capable of extension? A. Yes.

Q. You state that in the reformatories of Great Britian there is absolute separation of Catholics and Protestants. Would you recommend this to be adopted here? A. Oh, yes, for the boys and girls; of course you will understand that I am influenced by what I saw and what I learned in England and Scotland; I would strongly recommend this. I am strongly in favor of the separation of the two religious classes. Each class should be under the training of their co-religionists; much better work would be accomplished. Supposing you had a board of commissioners to supervise these institutions, such a board could speak with far more frankness and firmness with the heads of these institutions, and they could expect them to deal far more effectively with them if each were managed directly by a head who was in thorough sympathy in matters of religion with the inmates. My own experience teaches me that there should be separation in these establishments, indeed I do not know but it would be better in the prisons I should like to say that of the boys at Penetaguishene, some are great hulking fellows, but under the English system boys are not retained after sixteen. I would suggest as regards Penetanguishene that a master should be appointed to teach them calisthenics. You have no idea how beneficial the result of this has been in the institutions I have visited. It lifts the boys up at once and calls out their latent qualities. Then I would say with regard to punishment that I have been strongly opposed all along to dark cell punishment. I would not put a man or boy into a dark cell until I had exhausted every other means of punishment. Sometimes they will not do this work or that and set authority at defiance and there is no alternative but this mode of punishment; but a boy punished in that way will become emaciated and his system will be run down. I think if you could put the boys or the men who are inclined to become incorrigible under the charge of a sharp officer a great deal more would be accomplished than under the present system of punishment; of course I would make the punishment severe without reverting to the harsh means I have spoken of.

Q. Do you approve of the recommendations of the Prisoners' Aid Society? A. Yes, I do.

Q. You think that we should extend the principle of industrial schools in the province? A. Yes.

Q. And you think that we should have a reformatory similar to Elmira for the province? A. Yes, but the Dominion would naturally take this up. The men sent to that institution would be from all parts of the Dominion. It would be too burdensome for the province.

Q. You have heard it suggested that we should have an industrial inebriate asylum. Do you approve of that? A. Yes. I think I have mentioned to you before that there are a certain class of inebriates who should be removed from their families altogether for a time. Employment should be found for them and they should be made to support their families while under detention. This is not impracticable; it can be done and it would be better for the men and for their families if they were sent up on an indeterminate sentence in this way. It would cure a great many of them I think and would remove a great deal of poverty.

Hon. Mr. Anglin.

Q. One of the suggestions made was that you should have the inebriates in the Central Prison in a separate part of the building, what do you think of that? A. I think you would require to have a medical superintendent over them, or at any rate there would

have to be a resident physican, for these men would have to be placed under medical treatment as well as discipline and work.

Dr. Rosebrugh.

Q. What do you think leads to drunkenness? A. I think most of it is due to want of power of will. They tell me—those poor fellows that I speak to—that they are slaves to it to such an extent that they cannot leave it alone. They say that they can go on all right if they never have it, but once they taste it they lose all control over themselves and must have it Many of these drunkards are really good men; capital workmen, good prisoners; in fact they are all right so long as they are kept in confinement. I have a man with me now who has been I do not know how often in the prison. He is a tailor, a really first class tradesman. I never have to rebuke him, or to find fault with him for anything. He does everything he is told, is most exemplary in his conduct, conforms to all the rules and regulations, but when he goes outside, and his term expires on the first of January, he becomes an intolerable nuisance. He says himself, "I am better in prison far than if I were outside When I go out nobody cares for me, and I like drink and it gets the better of me." This is very sad, and I know that it is true with a great many others. The best thing for them is to shut them up for a long period, and by that means and with a proper system of treatment, you may strengthen their will-power so that when they leave they will be able to resist temptation and will be qualified to earn their livelihoods as honest respectable men.

Rochester, N. Y., December 13th, 1890.

Present.—J. W. Langmuir, Esq., Chairman; Hon. Chas. Drury, Hon. T. W. Anglin.

Miss Craig, Acting Matron of the girls' department of the State Industrial School, Rochester, gave evidence.

The Chairman.

Q. How long have you been in this establishment? A. Four years last May.

Q. How many girls have you in the institution now? A. 134.

Q. How many distinct classifications have you? A. Three. Primary, first and second divisions. Our primary class is supposed to consist of young girls from seven to twelve who have been committed for petty larceny chiefly. Some of them have not committed offences of any kind They are in for vagrancy. They are children whose parents are not responsible for them. Some of them are orphans.

Q. What is your next classification? A. The first divison girls are between the ages of fourteen and sixteen. These differ entirely from the primary in the degree of crime. To a certain extent a large proportion of these are morally bad before they come to the institution. A large proportion of them have fallen.

Q. I suppose they have committed some kind of offence in every instance—are prostitutes in some cases? A. Not in this division The second division is constituted mostly of those guilty of prostitution. These are kept entirely separate from the others. They see each other at church but they don't mingle at church, nor are they allowed to associate in any way. They are kept separate in the laundry and in the various domestic departments.

Q. Do you succeed in keeping up a perfect classification in these three divisions? A. I think we do succeed very well.

Q. So that there is no fear of corruption? A. No If we find anything of that kind we immedately transfer the person who has a corrupting influence.

Q. Do all attend school? A. Yes, every division. Each division has its school room where the girls are taught. The primary school meets in the afternoon from 1.30 to 3.30, and in the evening from 5 to 7 o'clock. The same amount of teaching is given to the first division and the second division have school from 5 until a quarter to eight in the evening.

Q. What work do you keep the girls engaged at? A. We have sewing rooms, corridor work as you call it, which consists of cleaning, making the beds and such like, and we have dining room and kitchen work

Q. The work you do, I suppose, includes making shirts for the boys and the bedding of the whole institution? A. Yes.

Q. Do you find that this affords you sufficient employment for the whole of your inmates? A. Yes, it fills up the time entirely.

Q. Are the girls in the primary department re-committed very frequently? A. I should not say frequently, but occasionally they come back.

Q. Do those of the first and second division come back more frequently? A. I think so. It arises in this way. They go out to work and some of them do not succeed, but it is not on account of any particular crime that they come back; it is more that they are inefficient to do the work required of them.

Q. Are any of them weak-minded? A. Some of them are not as brilliant as we would like.

Q. Do you think it is wise that these should so frequently come in and go out of the institution? A. I do not know I am sure. It seems hard, but they are not able to do anything for themselves when they go out.

Q. Can they take care of themselves? A. We generally look after those especially and don't allow them to go out until they are able to take care of themselves; but we sometimes of course make mistakes.

Q. I observe you have associate dormitories and single rooms. Do you think that the associate system as a whole for girls would not be as good? A. I do not. Sometimes when they mingle together they talk over things that they should not talk over; and sometimes their thoughts and words drift in the direction of crime.

Q. Do you find that keeping the girls separate improves them morally? A. Yes, of course, we always maintain a strict watch over them. We always throw all doors open so that the lady in the hall who has charge at night can have access to every sleeping room. The doors stand open all night.

Q. Would you recommend the separate room system for even the younger inmates? A. No, I think for very small children section rooms should be provided.

Q. How many would you place in each? A. Four in a large room, I think, would be a fair number. Three would be as many as we would desire to have in any one of our sections, but if the rooms were larger you would not require so many of them.

Q. As regards the large associate rooms, how many would you put in them? A. They count sixteen in one of the sections, but I think if there were fewer it would be better. The greatest number of girls associated in one room should be twelve, and these should be all young girls on an equality morally, for this reason that you would have less to fear in the way of contamination. Occasionally we find a girl who is very good and who has an elevating influence over the others, and takes an interest in the work. We would allow such girls to associate with others. This works very satisfactorily.

Q. At what age would you have separate rooms for each girl? A. About twelve, but it would depend a great deal upon the character of the girl.

Q. Would you place all the girls in your number two division in one dormitory? A. No, I would not approve of that at all.

Q. What do you believe to be the chief cause of crime and vice amongst young girls? A. I think it is largely owing to the fact that parents don't look after them properly. I should say carelessness on the part of the parents, want of proper homes, and proper care

Q. Do many of them come to the institution owing to drunkenness on the part of the parents? A. Yes, a great many. We occasionally have had children who come from good homes, but not very often.

Q. Do many come from farm homes? A. No very few.

Q. If it is known that a girl is going to the bad, is she visited or taken in hand by any association before she is committed here? A. I have never known anything of that kind. I believe they would have a pretty hard time if they were to take them all in hand in this way.

Q. Don't you think it would be well to try some plan of this kind before putting the girl into an institution and familiarizing her with institution life? A. Yes. I think it would be very desirable.

Q. Is drunkenness chiefly the cause or the effect of crime? A. I do not know.

Q. Drunkenness producing poverty, and poverty producing crime. Are these the links in the chain? A. I think that is largely the case.

Q. Do you think that many girls who have gone astray are likely to be induced to lead a proper life again? A. We have several instances of those who have.

Q. What means do you take to supervise them after they leave the institution? A. It is part of the duty of the chaplain to look after them when they are placed out.

Q. As a matter of fact and speaking generally, do you think that any large number of those who have fallen are likely to be reclaimed? Do many of them remain virtuous after they leave your care, or do they go wrong again? A. I have not been in this position long enough to pay very close attention to this subject. I have not had the means of finding out how they have done after they have left.

Q. I should like to get your views although merely speaking in a general way. Have you found a great many of them keep in the paths of virtue? A. A great many do keep in the paths of virtue. I have heard the chaplain say that a very considerable number of them do.

William W. Murray gave evidence.

The Chairman.

Q. You are the superintendent of the New York State Industrial School at Rochester? A. Yes. I was appointed on the 20th of October last, when I took the place of Mr. Washington. Prior to that I was assistant superintendent for two years, and prior to that I was in charge of the technological department.

Q. How long have you been in the institution altogether? A. Five years next February. I started the first shop. No assistant has been appointed since I have been in charge.

Q. What number of boys have you in this institution. A. 639.

Q. How many girls? A. 134.

Q. How many classifications have you in the boys' department? A. We have first and second divisions, and the primary; the same as in the female department; but we cannot say that we have any distinct classification, as the boys are allowed to congregate, that is, those in the first and second divisions. Those in the primary school are entirely separate.

Q. What is the difference between those in the primary school and those in the first division? A. The boys in the primary school are committed for truancy and vagrancy and petty offences—boys that are not masturbators. Just as soon as we hear of a boy doing any harm in this department we take him right out of it. In this department the boys are kept regularly at school and at military work. These boys do no industrial work beyond keeping the house clean.

Q. Are these committed to the primary school? A. All boys are committed to the institution, and the superintendent selects the boys who go to the primary department.

Q. Are the children in all cases brought up in the open court before a magistrate and charged with offences? A. There is no private examinations.

Q. Do you think that it is a good system to have boys and girls in one institution? A. I don't. I think they ought to be under different organizations entirely.

Q. How many industrial departments have you in the institution? A. There are a great many different kinds of work going on; first, we will say, there is the domestic department; then there is the laundry work, the bakery; the majority of those who serve a full term go out to that trade. This comes under the heading of technological. In the bakery, the kitchen and the domestic work we employ from 75 to 80 boys. The domestic work, the kitchen and the bakery are one department of industrial employment. Then we have a number of boys employed in keeping the corridors clean.

Q. Have you instructors in each of these departments? A. Yes, we have a baker and cook, and certain boys have instructions in these departments. Then there is the foundry, that is technological. We have twelve employed there under one instructor. In the blacksmith's shop we have twenty-two, but the work is simply carried out for instruction in technology under one man. There is the pattern shop, where the wood patterns for the foundry are made.

Q. How many boys have you in each industrial department? A. Fourteen in the pattern shop under one instructor. The carpenter's department comes next with thirty-three boys altogether. There is a separate master there. We have one instructor who looks after twenty-four boys, and then we have a man connected with the institution who looks after the repairs. He takes the boys who have graduated from the carpenter's shop and directs the work in this department. Then there comes the tailoring, at which we have about forty boys. We have twenty-eight boys who do repairs—mending and patching—these are in addition to the forty, so that we have about sixty boys altogether at work in the tailoring department at repairs and everything else. Then we have twenty-eight boys in the shoe shop. We have a machine shop, where they make machinery. Thirteen of the brightest and most intelligent boys are in this branch. Then we have the mason's shop. We give technological instruction in masonry, brick work, plastering, and work of that description. This comprises the entire industrial department with the exception of the primary school.

Q. Do you aim at giving every boy a knowledge of some trade or industry? A. We take larger boys and try to teach them trades, but the first division boys are too small to learn trades. We give them a sort of manual training, a small smattering of work, but of course we cannot teach them trades.

Q. Do you find that when they leave the institution the boys are able to make their living with the knowledge of trades that they acquire here? A. Yes. I have seen a great number of letters sent to the Managers by boys who have left the institution. Here

is one written by a boy who graduated in the woodwork department. He says he is now earning three and a half dollars a day and is employed at the erection of a large hospital. A great many letters have been received from other boys to the same effect. Some from the machine shop and some from the pattern shop; some from other branches of the institution. Here is one from a boy who worked in the machine shop. He came here a tall, overgrown country youth, who didn't seem to have anything in him. We put him into the machine shop and he developed into a competent machinist. He is young and has not had great experience, but he is earning a dollar and a half a day as a locomotive engine tender.

Q. How many acres of land have you in connection with the institution? A. Forty-two.

Q. How many boys do you employ on the farm? A. About nine or ten.

Q. What are your ideas of farm work? A. I think well of it. We have a class of boys who are feeble-minded. They are healthy boys who have perhaps for years been masturbators, and if we put them to this kind of work it seems to suit them. Very few boys care to remain on farms Most of them are from cities and towns, and they like city and town life far better than country life.

Q Have attempts ever been made to absorb them into the farming population? A. Yes. There are a certain class of boys who don't care for anything else but farming, and they do well on farms. Here is a letter from a boy who has done well on a farm. That boy was sent to us from a country district, but boys that are sent from places like Syracuse, Buffalo and Rochester do not care about going on farms.

Q. Do many of the boys who come to you appear to have cultivated vicious habits, such, for instance, as whiskey drinking? A. Some do. Cigarette smoking, in my opinion, brings more boys to this institution than whiskey. Cigarette smoking does a great deal of harm amongst boys. We had a boy here who became actually crazy. When he was sent here he would not go to bed until he had six or seven cigarettes. The influence this habit has over them is most pernicious. I remember a boy whose father brought him here because he could do nothing with him. That boy went on like a maniac, laughed and cried, and made piteous appeals for one more cigarette. The cigarette has some drug in it that produces this craving.

Q. Do you find that any objection is made by the labor unions and outside industries to giving boys technical instruction in some trades? A. We have not had a great deal of trouble, but we have had a little in finding positions here in the city for some of the boys after we have thought it time to send them out; the difficulty did not amount to a great deal. You see our boys are scattered all over. They come from different cities in the State and from country towns. One boy comes from Buffalo and work is found for him there, and the unions don't trouble to ask any questions about the matter.

Q How many institutions have you altogether in the State of New York for reformatory work? A. We have two more, one at Randall's Island and the other in the city of New York. They are called reformatories. The only difference between this institution and those other two is that our boys are taught trades. They don't teach them trades at the other institutions. Of course they have work of some kind, knitting, cleaning and so on.

Q. Do you happen to know the number that they care for? A. I think the population at Randall's Island Reformatory is between 700 and 800, and I think that in the juvenile asylum in New York city they have about the same number—750.

Q. And you have about 750? A. Yes.

Q. What authorities commit? A. Judges, magistrates, justices of the peace.

Q. And the children are committed to the respective institutions for offences named in the law? A. Yes, sir.

Q. When a boy commits an act which brings him into one of these institutions, does he become a ward of the state? A Yes, and this wardship continues until he reaches his twenty-first year.

Q. Can the managers of the institution bring a boy back to it after he leaves? A. Yes. At any time between the period of his release and the time he reaches twenty-one years.

Q. When a boy is committed who has the authority to pronounce him fit to go out? A. The disciplinary officer or superintendent, who is the sole judge of the time a boy is fit to go out.

Q. Have you a Board of Management? A. Yes, we have a board of fifteen gentlemen who live in the city. The board make rules, and they see that a boy has a home to go to before he leaves the institution. The chaplain investigates what kind of a home it is, or whether the boy has any home or not. If he has a home his papers are sent to his parents and they sign an agreement; and send down the amount necessary to pay the boy's fare home. Then we feel that we are justified in allowing him to leave the institution. If he does not do right we bring him back again. The chaplain visits the homes of the boys and keeps up correspondence with them. If the boy comes from a distance the chaplain ascertains the facts from the clergymen in that part of the State. He travels a good deal, makes enquiries, and acts between the boy and his parents, and the boy and his guardians, and frequently when he finds that things are not satisfactory he has to bring the boy back.

Q. What other concurring authority is there to act before a boy is released by the superintendent? A. There is the chaplain and a discharging committee.

Q. Do you place before the committee the boys recommended for parole? A. No; only when the parents send in requests for release.

Q. Is the fitness of a boy to go out determined by the superintendent and chaplain? A I won't say the fitness of the boy. The superintendent determines the time the boy shall go, but the chaplain determines whether he shall go home or not. He ascertains this by correspondence with his brother pastors in various parts of the State.

Q. You never absolutely discharge a boy until he is of age? A. No, they are all paroled, and the object of this is that we may have the power to bring a boy back the moment he lapses into criminal courses.

Q. What number of recommittals have you? A, We cannot say that we have any recommittals. We bring all back who misbehave themselves. They are not recommitted.

Q What percentage then are brought back? A. I think I may say we have 20 per cent., and that is a liberal percentage. These are brought back, some because they have committed faults, and others because they have been badly placed—because perhaps their parents have not treated them as they ought to do.

Q Have you power of apprenticing under the statute? A. Yes; but we have not apprenticed many. We have only applied it to those who go out with farmers, and in many cases they have done well. A boy is allowed to remain in the institution until he gets a situation, and if a boy is not suited with a contractor, or with the man he is working for, whoever he may be, he can be changed by consultation with the chaplain.

Q. Has the boy to communicate with the authorities of the institution if he wants a change of place while on parole? A. Yes.

Q. And the supervision of the State is absolutely continuous until the age of twenty-one is attained? A. Yes.

Q. Does this system apply to the whole of the juveniles dealt with in the New York State Reformatory? A. No, different institutions have different systems. I do not know what the system is at Randall's Island, or at the juvenile asylum at New York.

Q. In addition to this system of Reformatories or industrial schools for juvenile delinquents, are there any protectories? A. There are no others under the direct control of the government. There is a protectory at Westchester, and one at Buffalo, but these are under the Roman Catholics.

Q. Who appoints the board of this institution? A. The governor of the State. They are appointed for four years. Most of the board are held over; that is, the members who have retired have been retained for the present, for there have been some changes in the institution during the last few years and it is in a kind of transition state at the present. I do not think that the governor wishes any change in the constitution of the board just now.

Q. Do they hold their meetings in the institution? A. Yes, once a month.

Q. What are they supposed to do? A. There is a great deal of committee work done here. The visiting committee are supposed to visit the institution once a week and report upon its condition. The discharging committee look after the discharges, and the petitions for the release of boys. Then there is the school committee, which has entirely to do with the educational matters. There is a building committee which looks after matters of construction; a sanitary committee which attends to everything affecting the health of the inmates, and there is a technological committee which directs the training and the teaching of trades.

Q. Can these gentlemen alter the systems that exist in the institution? A. Yes; they can make orders for whatever alterations may be deemed advisable.

Q. Who has the appointment of the superintendent and the doctor? A. The board. The teachers are selected by the school committee from a list furnished by the Civil Service Commission.

Q. Who appoints the chief instructor? A. The technological committee.

Q. Supposing an improper man was appointed, what steps would you as the superintendent take to have the mistake rectified? A. I would report at once to the president of the board. The president generally approves of the recommendations made by the superintendent.

Q. Do you think that you would have fuller authority over the officers, and be able to maintain better discipline, if you had the appointing power? A. I feel that it would be better. I think the discipline would be better.

Q. Have you any difficulty in securing the removal of any person who is inefficient, or who might not act in accord with your ideas? A. No. But it would take me some little time as things are at present. For instance, as regards one of the instructors of the technological branch, it would be difficult. I would have to bring the matter before the chairman and enquiries would have to be made, and there would be some delay and trouble in that way.

Q. Have you power to suspend an officer who acts improperly? A. I have no power beyond making representations to the board.

Q. Who appoints the chaplains? A. The board.

Q. How many have you? A. Two, one Protestant and one Catholic.

Q. How long have the present chaplains been in office? A. They have been here about three years.

Q. Do you consider it better to have efficient permanent chaplains for such an institution as this, than have the duties performed by a committee of ministers in the city? A. I think it is far better to have permanent chaplains.

Q. What are the duties of the chaplains? A. The chaplains are supposed to investigate and find out, as soon as a boy arrives at that stage at which we think he is ready to leave the institution, what sort of a home he has; to find out the boy's history. To keep up correspondence with the friends and relatives of the boy, and after parole, to ascertain how the boy is conducting himself and whether matters are going on satisfactorily between him and his employer if he is placed out in a situation. The chaplains also superintend the Sunday school. The Catholic chaplain has a service on Sunday mornings at 9 o'clock; the Protestant boys go to Sunday school at that hour. We have a Protestant service at 3 o'clock; and occasionally on Sunday evenings we have prayer meetings.

Q. The Protestants and Catholics do not associate during the services? A. Occasionally. We have a joint service of song sometimes, and when we do the superintendent presides.

Q. Then do the chaplains hold week-day services as well? A. No, sir.

Q. Have you any readings of a literary kind, amusing and instructive? A. Yes. Then we have other amusements. One of our lady teachers went to Ireland last summer and she brought a great many views with her; so we have lantern views.

Q. I suppose your chaplains then are kept fully occupied? A. Yes, they have their hands full.

Q. Do you give the chaplains the right to approach a boy in the workshop or anywhere else? A. They have that right, no matter what is going on; the chaplain is supposed to have the right to send for a boy for consultation as frequently as he thinks necessary.

Q. Do you think that the authority thus vested in the chaplains has a bad disciplinary effect? A. No, it is a help.

Q. Would you place this same power in the hands of the chaplains in any new institution if you had the entire control of it? A. Yes, I would.

Q. Do you think that the boys are amenable to the personal appeals made by the chaplain? A. Yes, a great many of them.

Q. In dealing with boys, do they sometimes talk to the boys alone and give them advice and instruction? A. I sometimes do this myself. I often sit up till ten o'clock talking with a boy in a confidential way.

Q. What is your salary? A. $2,500.

Q. What is the salary of the chaplains? A. $1,000 and table.

Q. Have they residences in the institution? A. Yes, They dine with the superintendent.

Q. Do you find that the location of the institution in the heart of the city is an assistance or a drawback? A. It is a drawback. We have men passing here who throw up literature to the boys, give them tobacco and things of that kind, and I think the influence of the city surroundings is bad.

Q. When you say it should be in the country, do you mean that it should be away from the centres of population, or merely sufficiently far away to avoid the troubles that you experience here? A. I mean just three to five miles out of the city. Not so far as to be out of touch with the public, or to be where their friends could not visit them.

Q. What do you do with the boys on Sunday between service times? A. The boys are sent into the yard immediately after the chaplain concludes his service, for airing; then they go to the school room and they are furnished with literature.

Q. What kind of literature? A. Harper's Weekly, the Century Magazine and periodicals of that description.

Q. Who reads these? A. The boys themselves.

Hon. Mr. DRURY.

Q. Do you find that this is sufficient exercise for them? A. No, they need more exercise.

Q. They have no play at all? A. No.

Q. What would you do to give them more exercise? A. I hardly know; in bad weather we have no place for the boys except the school room. We want a gymnasium very badly.

Q. Would you have some one there to put them through drill? A. Yes.

Q. But you would not allow them to engage in any games? A. No. At Westchester they allow ball games, but I don't approve of this, I would not allow them here myself.

Q. Are you not likely under your system to give the boy an idea that when he leaves the institution he will not be called upon to work harder than he is doing here? A. We have had some little trouble in that way. I have suggested to the board that during the last two months a boy should be required to work nine or ten hours a day. It is better to accustom them to that, because they will have to face such conditions before long.

Q. Would it not be better to give a boy two hours work at full pace than four hours work at half pace? A. I think it would be well to keep the boy employed up to the full extent of his capacity. I think the best way to meet the difficulty is to insist upon the boy's doing a full day's work every day for sometime before he leaves.

Q. You have blank forms of reports which you furnish the boys with when they go out, and which have to be returned to you filled up every three months? A. Yes; they are required to answer a certain number of questions, and their pastors or friends are required to make certain statements which have to be sent to the chaplain.

Q. Do you find that these requirements are well attended to? A. Yes. The reports are generally made very satisfactorily.

The CHAIRMAN.

Q. What effect has the parole system upon the boys. For instance, if a boy commits a petty theft; it may be the result of thoughtlessness, or perhaps it may be due to the carelessness of his parents; but that boy, no matter how excellent his conduct afterwards may be, is kept under supervision for ten or fifteen years. Do you think that this long period of parole has a good or bad effect upon the boy's mind? A. It has a good effect so far as I have heard, but one or two objections have been raised to it by the boys. There is one little boy who was committed for stealing $25 from his grandfather, he was discharged on parole and he is working now as a blacksmith. He wrote a letter the other day wanting to know how much longer he was expected to keep sending in these reports.

Q. What I want to know is this. Assume that a young lad commits a crime at ten years of age, and at twelve he is sent out. He would have nine years during which it would be incumbent upon him to report himself to the institution. If he wants to get rid of this and to free himself from this restraint, don't you think if he is not relieved it will have a bad effect? A. If that were brought under my attention I would refer the matter to the board, and I think that if the circumstances were explained they would release him from the obligation to further report himself.

Q. These quarterly reports could be stopped and yet he would not be fully discharged, so far as the board is concerned? A. No.

Q. Have you always had this system of quarterly reports in connection with your parole system? A. No. The quarterly report system has not been in operation over two years, but we find it works well with a certain class of boys.

Hon. Mr. DRURY.

Q. If you parole a boy, send him back to his father, to his own home; do you require the parents or guardian to undertake anything on his behalf? A. Yes, sir. I will show you here the agreements that are entered into by the parents. These are sent out in every case and they have to be filled up in proper form.

Q. I see that you require the parents, guardians or friends to send railway fare to cover the journey? A. Yes, sir. In cases where a boy has only got a mother, who might not be able to send the money, we would provide him with the necessary amount, but not under other circumstances. I may say that we have less trouble with the boys who have been paroled since this system of report was adopted. We had a great many boys discharged and re-committed.

The CHAIRMAN.

Q. I suppose a great number leave the State and then do not report at all? A. Oh, we get reports from them from other States. One boy keeps up his report from Philadelphia now.

Q. You say that the great majority of your boys would not desire to follow farming life? A. The great majority would not. Only the boys who come from the country would wish to go back to the country.

Q. In that case you don't attempt to force them into it? A. No. The only boys that we send there are boys who have no homes. The boys who have homes in the city generally go right back.

Hon. Mr. DRURY.

Q. You have only a small farm of 42 acres, and can only I suppose employ a small number upon it; do you select those who have come from the country? A. Yes.

Q. Have any experiments been tried with the boys who have come from the towns? A. Very few of them have been any good at that kind of work. We have boys here who come from farms and who want to learn a trade. If we put them on the farm they would be discontented.

Q. If you were to establish a model industrial school with your experience and knowledge, would you establish it on the cottage system or on this associate system that you have here? A. On the cottage system. I have not had any experience of the cottage system, but from what I have heard and read of it I think it would be better than the associate dormitories as we have them here.

Q. You have stated that you are very much in favor of the associate dormitory system; that is, as against the single cells, so far as the boys are concerned? A. Yes, I may say that long before this associate dormitory was opened we had a great many boys with a hang-dog look, and low intellectual capacity. They would learn nothing. We could teach them nothing. It was all due to masturbation which they practised in their cells; but since the dormitories were opened up and we had better facilities for inspection, we can see the difference in the clearer faces of the boys, in the rapidity with which they

learn their tasks, and in their promptitude in obeying orders and conforming to the discipline of the institution. I found in this dormitory here one night a boy whom I suspected of this practice. I wanted to put him in the end of the hall where he would be under observation and he did not want to come. I followed him pretty closely and I questioned him, and he admitted that he was guilty of the practice and told me that was the reason why he wanted to be alone.

Q. Then why do you prefer single rooms for the girls when you think the associate system is right for the boys? A. It would not seem to me to be right to turn a number of girls into an open dormitory, it is not natural. You take a lot of boys full of life and spirits it is not desirable that they should be alone: but as regards girls it is altogether different.

Q. Do you think that your work here has been really a success? A. I do. From enquiries from the chaplains and from my own observation during the time I have been here, I have every reason to believe that the work can be pronounced a decided success.

Q. Can you tell the Commission what proportion of those who pass through your hands are absolutely reformed? A. I believe from eighty to eighty-five per cent. of those who pass through this institution are reclaimed. The chaplains of course have a better opportunity of forming a correct judgment on this matter than I have, and from what they have seen of the results this year they are of opinion that our average will be even higher than last.

APPENDIX F.

STATEMENT OF E. A. MEREDITH, LL.D., EX-CHAIRMAN OF THE BOARD OF INSPECTORS OF ASYLUMS AND PRISONS IN CANADA.

QUESTIONS 3.—Any improved means which may be adopted for rescuing destitute children from a criminal career?

In answer I should say, in the first place, that no boy or girl under fourteen should in any case be sent to a common gaol.

If the child has not committed any offence, but the parents are degraded and criminal, the child should be taken away from them and sent either to an industrial school or home, or, better still, placed under good home influence elsewhere.

If the child has committed some slight offence, the parents, not the child, should be punished, and the child sent back to the parents, if respectable. This would have the effect of making them more careful of the child in the future.

When the offence committed is more grave, a punishment with a birch rod ought to be administered to the child before being sent home.

While I am quite alive to the great value of homes, industrial schools and other institutions of that class, if wisely and well administered, as a means of rescuing destitute and neglected children, who through the corrupting influences by which they are surrounded are, presumably, on the road to become "criminal," I am persuaded that there is a more simple, efficient, economical, and in every respect a better way of dealing with them. The system to which I refer has been in operation with remarkable success in the enlightened State of Massachusetts for upwards of twelve years. It has been carried out there under the agency of the "Board of State Charities" for that state. During ten years of the operation of this system about 20,000 juvenile offenders were brought before the courts. In every case the board was notified of the fact and was represented at the trial by some of its members. Four-fifths (or 16,000) of those arraigned were found guilty, but of these only one fifth, or 4,000, were sent to institutions, such as homes or industrial schools; the other three fifths (or 12,000) being distributed among private families at a merely nominal cost to the state, the board having the power to place the children in families, and, if necessary, to pay for their board. While the average cost of a boy sent to one of the institutions was about $300, the average cost of a youth placed in a family was only about $5, and the results so far as the children were concerned, were much more satisfactory in the latter case, where the family took the place of the institution.

[See the remarks of Col. Tufts, the Superintendent of the Board of State Charities for Massachusetts, in the proceedings of the National Prison Association, held in Toronto in September, 1887, page 257.]

It is recommended that some such system might with great benefit to juvenile offenders and to the state be introduced into Ontario. It would be found it is believed, much more effective and much more economical than even our industrial schools or homes. These indeed cannot be altogether superseded, but will still be found most necessary and useful for those youths who cannot be satisfactorily dealt with in private families.

To carry out this plan in Ontario, would require:

(1) A Board of Commissioners at Toronto appointed by the Government with powers similar to those possessed by the Board of State Charities of Massachusetts, so far at least as relates to dealing with juvenile offenders.

(2) Local committees in the several counties.

The Board of Commissioners should be appointed by the Government, but should hold office, like the judges, during good behaviour.

The local county committees might be chosen from the clergymen in or near the county town, with possibly the warden of the county or the county judge, or both, as *ex-officio* members.

The duty of this local committee would be to select proper persons among the farmers or other residents of the county to receive youths into their families, and to exercise some care and supervision over the children while living in such family.

QUESTION 4.—Any improvement of the county gaols with respect to the classification of prisoners?

I have long maintained and am still of opinion, that all classification of prisoners in county gaols is illusory, and that we must make our choice between absolute *separation* and *contamination.*

Upon this point there is, I think, an absolute consensus of opinion among all persons who have studied the question of gaol reform, both in America and Europe.

The association of prisoners which now goes on in our gaols is :

(1) An indulgence and attraction to the degraded and hardened prisoner.

(2) A frightful cruelty and injustice to the innocent prisoner or the novice in crime.

(3) A corrupting influence of the worst kind to all.

The separation which I contend for is separation as now enforced in England, which is very different from "solitary confinement," as generally understood. The prisoner in separate confinement is kept absolutely apart from the other prisoners, but he is visited frequently during the day by the prison officials, and is furnished with some kind of occupation (if possible) and also with books.

Where the separate system is enforced the sentences may be greatly shortened, and in consequence, the cost of the gaol greatly reduced.

Another benefit is, that mode of punishment is very distasteful to the criminal class, and will therefore prove deterrent to them, which imprisonment in gaol at present is not, and lastly, the great advantage to the country is that the manufacture of criminals now going on regularly and continuously in all our gaols under the associated system, would be effectually stopped.

The large number of prisoners in many of our county gaols, as compared with the gaol accommodation, is, I am aware, a great practical difficulty in the way of adopting the separate system. But the number of prisoners in the gaols might be largely reduced if,

(1) Young children under fourteen years of age are not in any case sent to the county gaols, and

(2) If habitual or incorrigible offenders are not sent to the county gaols but to the "Central Prison."

Upon the necessity for the adoption of the former rule I have already insisted in my answer to question 3.

Upon the importance of the latter I shall say a few words in replying to question 6.

QUESTION 6.—The question of indeterminate sentences for offenders against provincial laws.

I have long advocated the wisdom of applying the principle of "Indeterminate Sentences" to "habitual or incorrigible offenders."

Our present mode of dealing with this class of prisoners is as costly in practice as it is irrational and absurd in principle.

I venture to quote the remarks on this subject in a paper read before the National Prison Congress held in Toronto in September, 1887. Speaking of the practice which obtains in this province of sending hardened offenders again and again under short sentences to our common gaols, I say, "It would be difficult to find language sufficiently strong to characterize the folly of this system. So plainly contrary is it to the first principles of prison ethics and the dictates of common sense," and in answer to the question: How such offenders should be dealt with? I say, "It is is the right and duty of the state in the interests, not only of society at large, but in the true interest of the criminals themselves, to subject them to a lengthened sentence of imprisonment in some institution (Central Prison or otherwise) where their labor will pay for their keep, and where, under proper discipline they will have an opportunity for and an incentive to the formation of habits of industry, self-dependence and self-respect." This is explained to imply "indeterminate."*

In connection with the questions to which the previous remarks refer, I should like to be permitted to append an extract from a short paper written by me at the request of the editor of the *Evangelical Churchman*, of this city, and published in that journal on the 6th June, 1889, on the subject of certain resolutions submitted to the Ontario Government by the Prisoners Aid Association of Canada. "As regards county gaols, the most important principle is that laid down in the second resolution, namely, 'that they must be conducted strictly on the separate or cellular system.' There is now, I think, an absolute consensus of opinion on this subject among those who have studied the matter. It is agreed that all attempts at classification of prisoners in county gaols is illusory, and that the choice lies between *separation* and *contamination*."

"The treatment of juvenile offenders has always seemed to me the most important branch of prison ethics; the most intimately affecting the well being of the nation. The establishment of a special court to deal with juvenile offenders is, I think, a very wise suggestion, as such courts wherever they have been organized have been most useful, and I cannot too strongly endorse the recommendation 'that juvenile offenders should never be brought in open police court *nor sent to a county gaol*' To send an unfortunate boy or girl to one of our county (or city) gaols, where, as now, the indiscriminate association of prisoners is permitted, and where there is no occupation for the prisoners, is not only forcibly to set their youthful steps on what Bulwer calls 'the law's royal road to the gallows,' but it is to give them a considerable start on their journey to destruction.

"In considering the best method of dealing with offending children, the question as to the responsibilities and rights of parents comes up at the threshold of our enquiry. In this matter it is feared that in Canada, as well as in Great Britain and the neighboring states, grievous and mischievious mistakes in practice are being made. On the one hand, the responsibilities of parents are not enforced as they should be, and on the other, the 'rights' of parents are sometimes too tenderly and unwisely considered. It is plainly the duty of the parent to bring up his child carefully, and when, through the neglect of this duty, the child drifts into wrong doing, and society suffers, the parent, not the child, should be held responsible for such wrong doing. On the other hand, idle, improvident and thriftless parents are often too well pleased to see their children taken off their hands on the commission of some petty offence, and comfortably bestowed in a home or industrial school, where they are fed and taught at the public cost. It is manifestly wrong and unjust to the honest tax-payer that such parents should be allowed to relieve themselves of their natural responsibilities and cast upon the State the burthen of maintaining their neglected children. It is the bounden duty of the State, in the general interests of society, so to frame and administer the law that parents should not be encouraged to shirk their natural responsibilities, and when, through culpable parental neglect the children have made themselves answerable to the law, the parents should be sharply reminded of their neglected duties by the infliction of fine or imprisonment; and the punishment meted to the parent should be more severe when the offence of the child has been committed, not merely through parental neglect, but under the orders and for the benefit of

*See proceedings of National Prison Association. 1887, page 252, etc.

the parent. If by the judicious infliction of such punishment the parental responsibility can be enforced, and the child can be safely left under the parental roof, it is in every way desirable that the child should not be taken away from its natural protection to be placed in a public institution at the cost of the state. But when it is found impracticable to enforce the parental responsibility, or when the parents are too vicious and depraved to be entrusted with the care of their own children, then the parents must be held to have forfeited their natural rights over their children, and it becomes the duty of the State, as *parens patriæ*, to place herself in *loco parentis* towards these unfortunate little ones, and to deal with them without reference to the rights of the parents, which have been forfeited by their unnatural neglect of their duties.

"Looking to these general principles, I concur in the recommendation contained in the first section that "a boy under fourteen years of age, not previously vicious, should be restored to his parents upon their giving a guarantee of his future good conduct," but I should add that, in many cases, it might be advisable to enforce the discharge of the parental duties by the infliction of a fine or imprisonment on the negligent or careless parents.

"In conclusion I would say that in my opinion our common gaols can never be efficiently and properly conducted until they are taken out of the control of the municipal authorities and placed under the management of a central board, with powers resembling those of the Boards of State Charities on the other side of the line. Such board should of course be appointed by the local government, possibly for a definite term of years, but should hold office like the judges, during good behaviour. The board should have the power of appointing the officials of the institutions under their charge.

Two conditions seem essential to the success of such a board :

1st. That the members of the board should be thoroughly qualified for their duties.

2nd. That they should be absolutely independent of the local government.

"Assuming these conditions to be satisfied the board should, I think, have large powers granted them, including that of the selection of the officials of the gaols and other institutions under their control.

"It is obvious that this method of dealing with the common gaols would do away to a large extent with one argument frequently urged against handing them over to the local government, namely, that it would have the effect of still further centralizing power and patronage in the local government, and that the appointments would be liable to be made use of for political purposes."

APPENDIX G.

Since the Commissioners visited the penal and reformatory institutions of Massachusetts the Legislature of that State has passed an Act to extend the scope and secure the better administration of the probation system; and an Act to provide more effectually for the prevention of drunkenness and for the reformation of drunkards. The Act relating to probation officers provides that:—

"SECTION 1. The justice of each municipal, police or district court shall appoint one person to perform the duties of probation officer, as hereinafter named, under the jurisdiction of said court. The appointment of such officer for the municipal court of the city of Boston shall be made by the chief justice of said court, who may appoint as many assistants, not exceeding three, to said probation officer as are needed to carry out the purposes of this act. Each probation officer appointed as herein provided shall hold his office duirng the pleasure of the court making the appointment.

"SECTION 2. Said probation officers shall not be active members of the regular police force, but shall in the execution of their official duties have all the powers of police officers. The records of any of said probation officers may at all times be inspected by the chief of police or city marshal of any city or town, or by the board of police of the city of Boston.

"SECTION 3. Each probation officer shall inquire into the nature of every criminal case brought before the court under whose jurisdiction he acts, and may recommend that any person convicted by said court be placed upon probation; the court may place the person so convicted in the care of said probation officer for such time and upon such conditions as may seem proper.

"SECTION 4. Each person released upon probation as aforesaid shall be furnished by the probation officer with a written statement of the terms and conditions of his release; each probation officer shall keep full records of all cases investigated by him, of all cases placed in his care by the court, and of any other duties performed by him under this act."

Section 5 provides that the commissioners of prisons shall be notified when a probation officer is appointed, and that every such officer shall make a monthly report to the commissioners of prisons. Section 6 provides how the compensation of the probation officer in each case shall be determined and how it shall be paid.

"SECTION 7. A probation officer may, at the request of any justice of the superior court investigate the case of any person on trial in that court and make a report upon the same to said justice, and may upon the order of the court take on probation any person convicted in said court; the compensation for such services shall be paid from the treasury of the Commonwealth upon vouchers approved by said justice. The officers appointed under this act may also perform the services of probation officers named in section sixty-nine of chapter two hundred and twenty of the Public Statutes, and for said services may receive such compensation as the county commissioners or the commissioners of public institutions, as the case may be, shall approve.

"SECTION 8. Any officer who refuses or neglects to make returns or to perform any of the duties required of him by this act shall forfeit two hundred dollars to the use of the Commonwealth.

"SECTION 9. Nothing in this act shall be so construed as to interfere with any of the duties required of the board of lunacy and charity under the provisions of the statutes relating to juvenile offenders."

Section 10 repeals the several sections of existing acts which this supersedes.

This act was approved May 28th, 1891 and "took effect" on the first of July following.

In the *Boston Herald* of June 19th, 1891, Mr. F. G. Pettigrove, Secretary of the Commissioners of Prisons of the State says:—

"This law is designed to extend the probation principle that was adopted by the Legislature more than ten years ago but which has never been extensively applied except-

ing in Boston. In 1889 from an investigation made by me it appeared that only 49 towns in the State had ever exercised the authority given by the statutes to appoint probation officers, and in that year only 29 such officers had performed any work under the act. This showed so great a defect in the operation of the law, that in the report of that year the commissioners recommended a change.

"The theory upon which the law was framed was that an officer should be appointed in each court in whom the justice would have entire confidence and to whose custody the court could safely commit a first offender who might properly be disciplined without being committed to prison, and in order that the judge should have perfect control over all the probation work, no limitations excepting those (as to the number of officers) were imposed upon the courts.

"The limitation that probation officers shall not be active members of the regular police force" was inserted Mr. Pettigrove says "because it was believed that if the law was properly carried out in all the large cities and towns the work would require the entire time of the person engaged in it. Moreover the experience under the law of 1880 has shown that police officers cannot possibly engage in probation work to any very great advantage and at the same time continue their police duties. However in some instances the chiefs of police have rendered useful services in discharging the duties of probation officers up to the present time."

The amount of work in the several districts will vary greatly and it is suggested that where it is small the justice might designate a person already in the official service to discharge the duties of probation officer, Mr. Pettigrove says:—

"The law gives the judge a good deal of latitude in carrying out its provisions They can make, without any statutory limitations, all the terms and conditions of the probation, and as the probation officer is appointed by the court and holds office at the pleasure of the court, he will presumably be given the confidence of the judge. This will have the effect undoubtedly of causing a great many more boys to be placed on probation than would be the case if the probation officer were appointed by the aldermen of a city or the select-men of a town as under the old law."

Mr. Pettigrove also says "the Act carefully avoids any interference with the work now performed by the board of lunacy and charity in regard to juvenile offenders. Any one familiar from actual observation with the work now done in that direction by this board can esteem the value of its services to the commonwealth and it would not be wise to attempt to change the methods they have established under authority of law in dealing with this class of offenders. Indeed it cannot be said that the probation law is designed to apply to the older offenders. The method of treatment is somewhat similar to that adopted under the direction of this board for boys."

The total number of officers to be appointed under this act is 57, and up to July 16th official notice of the appointment of 55 had been received. Those appointed were said to be men of character and ability.

"*An Act relating to the punishment of Drunkenness*," passed at the same time, also took effect on July 1st, 1891. It places the persons addicted to the excessive use of strong drink largely under the surveillance of the probation officers appointed under the act previously quoted, and makes the conviction of habitual drunkards more easy and certain. Practically it provides that every person arrested for drunkenness may be treated as a habitual drunkard and sent to the reformatory for the full term, unless it be satisfactorily shown that "he has not been arrested for drunkenness twice before within the twelve months next preceding, or that having been so arrested he has been tried and acquitted in one of the cases." The first section authorizes the arrest without warrant of any person "found in a state of intoxication in a public place, or found in any place in a state of intoxication committing a breach of the peace or disturbing others by noise." The other sections provide as follows:—

Section 2. Any person arrested for drunkenness may make to the officer in charge of the place of custody in which he is confined, a written statement, giving his name and

address, and declaring that he has not been arrested for drunkenness twice before within the twelve months next preceding, or that having been so arrested he has been tried and acquitted in one of the cases, together with a request to be released from custody. If the officer who receives said statement shall be satisfied that it is probably true, and shall so endorse thereon, he may release from custody the person making the same, pending investigation, if he is within the jurisdiction of a court having a probation officer. Each statement made as aforesaid shall be referred by the officer receiving the same to a probation officer, who shall at once inquire into the truth or falsity thereof, and shall endorse thereon, over his own signature, for the use of the court having jurisdiction of the case, the result of the investigation. If said investigation sustains the truth of said statement, the court may thereupon direct that such person be released from custody without bringing him into court, if he has not been released. If the investigation shows that the statement made by a person who has been released from custody, as aforesaid, was true, no further action shall be taken in his case. If it shall appear to the probation officer to be untrue, he shall so notify the officer who made the arrest, and he shall make a complaint against said person for drunkenness. If said case is within the jurisdiction of a trial justice, he shall make such inquiries as he shall think necessary, relative to the truth or falsity of said statement, and may direct that the person making the same be released from custody without bringing him into court, unless he is satisfied that said statement is false. No officer making an arrest under the provisions of this Act shall be liable for illegal arrest or imprisonment if the person arrested shall be released from custody upon his own request as herein provided.

Section 3. Every person arrested for drunkenness, when he has recovered from his intoxication, shall be informed by the officer in charge of the place in which he is kept in custody, of his right to request to be released as hereinbefore provided. If he shall not make such request, or if he shall not be released, as hereinbefore provided, the officer making the arrest shall make a complaint against him for drunkenness.

Section 4. A full record of each case in which a person is released from custody, as aforesaid, together with the statement made by him, shall be kept by the court or trial justice. When a person is so released by any of the several municipal courts of the city of Boston, or within their jurisdiction, a certified copy of the statement made as aforesaid, together with the name of the officer making the arrest, shall be sent by such court to the clerk of the municipal court of the city of Boston for criminal business.

Section 5. If a male person is convicted of drunkenness by the voluntary use of intoxicating liquor, he may be punished by imprisonment in the gaol, or in any place provided by law for common drunkards, for not more than one year, or in the Massachussetts reformatory, as provided by chapter three hundred and twenty-three of the Acts of the year eighteen hundred and eighty-six. If a female person is so convicted she may be punished by imprisonment in the gaol, or in any place provided by law for common drunkards, for not more than one year, or in the reformatory prison for women for not more than two years: *provided, however*, that if the person so convicted shall satisfy the court or trial justice, by his own statement or otherwise, that he has not been arrested twice before within the twelve months next preceding, or that having been so arrested he has been tried and acquitted in one of the cases, his case may be placed on file.

Section 6. It shall be the duty of probation officers to assist the courts by which they are severally appointed, by obtaining and furnishing information in regard to previous arrests, convictions and imprisonments for drunkenness, and such other facts as the courts shall direct, concerning persons accused of drunkenness.

Section 7. Each of the said officers shall keep a full record, well indexed, of each such case investigated, in such form as the court shall direct. The probation officers of the several municipal courts within the city of Boston shall furnish to the municipal court for the city of Boston a copy of the record in each such case. Said court shall cause all records and statements received by it as aforesaid, to be consolidated and so kept that they can be readily consulted, and for such purpose may employ such clerical service as shall be necessary. The compensation fixed by the court for such service, and such other

necessary expenses as shall be incurred by the court in carrying out the provisions of this section, shall be paid from the treasury of the county of Suffolk, upon vouchers approved by said court. All records and statements made under this Act shall be open at all times to the police officials of the several cities and towns of the Commonwealth. The board of police of Boston, the city marshals and chiefs of police of the other cities and towns, the keepers of gaols and masters of houses of correction, and the superintendent of the Boston house of industry shall furnish to each other and to said probation officers, and said probation officers shall furnish to each other, on application, all information in their possession relative to persons whose cases shall be under investigation, as hereinbefore provided.

Section 8 repeals those sections of previous acts for which this act is substituted. Section 9 provides that this act "shall take effect on the first day of July in the year eighteen hundred and ninety-one."

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